

A C T S
AND
RESOLUTIONS.
OF THE
GENERAL ASSEMBLY
OF THE STATE OF
SOUTH-CAROLINA.

PASSED IN DECEMBER, 1792.



CHARLESTON: M.DCC.XCIII.



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An ACT prescribing on the part of this state, the time, place and manner of appointing electors of a President and Vice-President of the United States.

WHEREAS the constitution of the United States of America has ordained that "each state shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of senators and representatives to which the state may be entitled in congress," and that "the congress may determine the time of chusing the electors, and the day on which they shall give their votes, which day shall be the same throughout the United States." And whereas Congress by their act passed and approved the first day of March, in the year of our Lord one thousand seven hundred and ninety two, did enact, that "electors shall be appointed in each state for the election of a president and vice-president of the United States, within thirty four days preceding the first Wednesday in December, one thousand seven hundred and ninety-two, and within thirty four days preceding the first Wednesday in December, in every fourth year succeeding the last election, which electors shall be equal to the number of senators and representatives to which the several states may by law be entitled at the time when the president and vice-president thus to be chosen should come into office—and that the electors shall meet and give their votes on the first laid Wednesday in December, at such place in each state as shall be directed by the legislature thereof:

Be it therefore enacted by the honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That electors of a president and vice-president of the United States shall be appointed by ballot on the Tuesday preceding Wednesday the fifth day of December in the present year, one thousand seven hundred and ninety two, in the house of representatives at Columbia, by the legislature of this state or by such persons as shall be returned members thereof and shall attend on that day:—And also that the electors of a president and vice-president of the United States shall be appointed on the Tuesday preceding the first Wednesday in December in every fourth year succeeding the last election in the house of representatives at Columbia, by the legislature of this state which shall be then existing, or by such persons as shall then be returned members thereof, and shall attend on that day: And the electors chosen in manner abovementioned, previous to executing their appointment, shall, before his excellency the governor or commander in chief for the time being, or in case of his absence, before one of the justices of of the quorum, take the following oath or affirmation, to wit: "I A. B. do solemnly swear (or affirm, as the case may be) that I will faithfully and conscientiously discharge my duty as an elector of a president and vice president of the United States—So help me God."

Preamble

Electors to be appointed by ballot by the legislature, on Tuesday preceding the 5th of December, 1792, and on the Tuesday preceding the 1st Wednesday in December in every fourth year succeeding the last election

Oath of the electors

And

And

Shall convene at
Columbia &c.

And the electors when so qualified, shall convene at the state house in Columbia, at eleven o'clock in the forenoon of the day above specified for the election of a president and vice president, to proceed on that business.

In the Senate House, the 3d day of December, in the year of our Lord one thousand seven hundred and ninety-two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.

An ACT for raising Supplies for the year one thousand seven hundred and ninety two.

Preamble

WHEREAS, We, the representatives of the free and independent state of South-Carolina in general assembly met, have thought it expedient and necessary that a tax, for the sum and in the manner herein mentioned, should be assessed, raised, and paid into the public treasury of this state, for the use and service thereof:—

Ten shillings per
centum ad valorem.

BE it therefore enacted by the honorable the senate and the honorable the house of representatives, now met and sitting in general assembly, and by the authority of the same. That the sum of ten shillings per centum ad valorem, on every hundred pounds, to be paid in specie, or paper medium, shall be and is hereby imposed on all lands granted within the state, and in the manner, and under the several regulations herein after set forth and expressed, that is to say:

Rates of tide swamp
and pine barren ad-
jacent.

Inland swamp and
pine barren adjacent.

Salt marsh incapa-
ble of cultivation.

No. 1. All tide swamp, not generally affected by the salts or freshes, of the first quality, shall be rated at six pounds per acre; of the second quality at four pounds per acre; of the third quality at two pounds per acre. All pine barren lands adjoining such swamps; or contiguous thereto, with respect to the benefit of water carriage, at ten shillings per acre: All prime inland swamp, cultivated and uncultivated, at an average of three pounds per acre; second quality ditto two pounds per acre; third quality ditto one pound per acre: Pine barren land adjoining or contiguous thereto, at five shillings per acre: Salt marsh or inland swamp clearly proved to the assessors to be incapable of immediate cultivation, five shillings per acre.

High river swamp
within certain bound-
aries.

No. 2. High river swamp or low grounds, cultivated and uncultivated, including such as are commonly called second low grounds, lying above the flowing of the tides, and as high up the country as Snow Hill on Savannah river, the fork of Broad and Saluda rivers, on the Congaree, Grave's Ford on the Wateree, and the boundary line on Pedee—the first quality at three pounds per acre; the second quality at two pounds per acre; the third quality at one pound acre; except such as lie so low as to be clearly proved to the assessors to be incapable of immediate cultivation, which shall be assessed at five shillings per acre.

Exceptions.

No. 3.

No. 3. All high river swamp or low grounds, lying above Snow Hill, the fork of Broad and Saluda rivers, Grave's Ford, and the old Indian boundary line, fifteen shillings per acre.

High river swamp above Snow Hill, &c.

No. 4. All high lands without the limits of St. Philip's and St. Michael's Parishes, on John's Island, James Island and on the main, within twenty miles of Charleston, at one pound per acre.

High lands on the islands and within and miles of Charleston.

No. 5. All lands on the sea islands, Slann's island included, or lying on, or contiguous to the sea shore, usually cultivated or capable of cultivation in corn or indico, not within the limits prescribed in class No. 4, one pound per acre.

Lands on the sea islands

No. 6. All oak and hickory high land, lying below Snow Hill, the fork of Broad and Saluda rivers, Grave's ford, or the boundary line on Pedee, and not included in the limits or description of the two preceding classes No. 4 and 5, at fifteen shillings per acre.

Oak & hickory land below Snow Hill

No. 7. All pine barren lands not included in No. 1, 4 or 5 to be assessed at one shilling per acre.

Pine barren

No. 8. All oak and hickory highlands, lying above Snow Hill, the fork of Broad and Saluda rivers and Grave's Ford the first quality at eight shillings per acre; the second quality at five shillings per acre; the third quality at two shillings per acre.

Oak & hickory land above Snow Hill

No. 9. All oak and hickory highlands, above the old Indian boundary line, the first quality at six shillings per acre; the second quality three shillings per acre; the third quality one shilling per acre.—That all lands within the parishes of Saint Philip and Saint Michael shall be assessed in the same manner, and upon the same principles as houses and lots in Charleston; and in a relative proportion to lands in the country.—That the sum of three shillings and six pence per head shall be levied on all slaves; the sum of two dollars per head on all free negroes, mulattoes and mulattoes between the ages of sixteen and fifty years; four shillings and eight pence on every wheel of all carriages (carts, waggons and drays excepted) and ten shillings per centum ad valorem on all lands and lots and buildings within any city, village or borough, and on every hundred pounds in trade, factorage, employments, faculties and professions (clergymen, mechanics, schoolmasters and school-mistresses excepted) to be ascertained and rated by the assessors and collectors throughout the state, according to the best of their knowledge and information—to be paid in specie or paper medium of this state.

Do. above old Indian boundary

Land within the parishes of St. Philip & St. Michael

Tax on slaves, mulattoes and mulattoes

Do on wheels (carts, &c. excepted)

Do on lots, within any city, village or borough.

Do on trade, factorage, faculties, professions, &c.

And be it further enacted by the authority aforesaid, That all negroes and other slaves, who are employed on any lands leased by any person or persons, of the Catawba Indians, shall be, and they are made liable to the payment of this tax.

Negroes on lands leased from the Catawba Indians.

And be it further enacted by the authority aforesaid, That the enquirers, assessors and collectors appointed by law, shall for their services in the discharge of their duties, receive on closing their accounts with the commissioners of the treasury, five per cent. except the parishes of St. Philip and St. Michael, who are to receive two and a

Compensation to the enquirers assessors and collectors

half

half per cent. on the amount of taxes by them collected, to be allowed and paid to the said several collectors.

Assessors &c shall begin their enquiries on the 6th of February next

And be it further enacted by the authority aforesaid, That the assessors, enquirers and collectors respectively, shall begin their enquiry on the 6th day of February next, and that when all the collectors who were appointed for any parish or county are dead, and the tax returns not closed with the commissioners of the treasury, the collector who shall be thereafter appointed, is hereby directed and ordered to demand receipts, or to administer an oath or to procure other satisfactory proof from the persons of the county or parish, that he or they had paid their taxes for the preceding years, in order to discover their taxes still due, and to enable the public to ascertain what sums of money are due by the estate of the deceased collectors, and should the executors or administrators of the deceased collectors refuse to produce the accounts of the deceased, or give information on the subject—the commissioners of the treasury are hereby ordered to put the law in force against the estates of the deceased collectors.

How to proceed where an assessor &c has died, his tax returns not being closed

Shall govern themselves by the act declaring their duties & powers

And be it further enacted by the authority aforesaid, That the assessors and collectors appointed by law, shall do and perform all and singular the duties appertaining to their office, as described in an act, entitled "an act for declaring the powers and duties of the enquirers, assessors and collectors of the taxes, and other persons concerned therein."

Commissioner of the treasury to furnish copies of this act to assessors, &c within one month

And be it further enacted by the authority aforesaid, That the commissioners of the treasury be, and they are hereby directed to furnish copies of this act to each of the assessors and collectors appointed by law throughout this state, within one month after passing this act, and their reasonable expences incurred thereby, shall be reimbursed.

All persons to make their returns by the 6th of February next,

And be it further enacted by the authority aforesaid, That all persons any wife liable to pay the taxes hereby imposed, shall on the 6th day of February give in a true and just return of the quality and quantity of the lands, slaves and carriages as are directed to be taxed by law, either in his, her or their own right, or in the right of any other person or persons whatsoever, as guardian, executor, administrator, attorney, agent or trustee, or in any other manner whatever. And shall on or before the sixth day of May, in the year of our Lord one thousand seven hundred and ninety three, pay in their taxes to the assessors and collectors by law appointed for the parish, county or district, where the party making such return, either by himself or family resideth the greatest part of the year, and that the said assessors and collectors shall pay the same and settle their accounts with the treasury, on or before the 6th day of June, which will be in the year of our Lord one thousand seven hundred and ninety three, any law, usage or custom to the contrary thereof in anywise notwithstanding.

And pay their taxes by the 6th of May

Assessors, &c to settle their accounts by the 6th June

Appropriation of paper medium fund

And be it further enacted by the authority aforesaid, That all the interest of the paper medium issued by virtue of an act passed 12th October, 1785, now due, or to grow due on or before the first Wednesday in March next, is hereby appropriated to make up any deficiencies

deficiencies

iciencies of the money proposed to be raised by this act, so far as jointly to constitute an adequate fund for discharging all arrears due in specie, together with the expences of the current year.

In the Senate House, the twenty first day of December, in the year of our Lord, one thousand seven hundred and ninety two, and in the seventeen. b year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

Estimate of Supplies wanted for the support of Government for the year one thousand seven hundred and ninety-two.

| | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-------|----|-------|
| Salaries, as settled by law— | | | |
| The Governor, | | £ | 900 |
| Secretary to the Governor, | | | 100 |
| Chief Justice, | | | 800 |
| Four associate judges, each 600l. | | | 2,400 |
| Three judges of the court of equity, each 500l. | | | 1,500 |
| Attorney General, for giving advice to the governor and other public officers, in matters of public concern, in addition to his other duties, | | | 200 |
| Three circuit solicitors, each 100l. | | | 300 |
| Treasurer in Charleston, for salary as treasurer, and for transacting the business of the loan office, and clerks, | | | 740 |
| Treasurer in Columbia, for his salary and clerk, | | | 500 |
| Clerk of the Senate, and clerk of the House of Representatives, each per ann. 287l. | | | 574 |
| Two messengers, one for each house, each 70l. | | | 140 |
| Two door keepers, each 50l. | | | 100 |
| Keeper of the state house | | | 30 |
| Arsenal keeper and powder inspector, | | | 100 |
| Incidental charges, | 8,234 | 13 | 4 |
| Contingent accounts passed—accounts delivered the present session, | 3,824 | 6 | |
| Commissioners of forfeited estates—ballance of their accounts, | 2,232 | 9 | 4 |
| Simeon Theus's salary, and for clerks, | 1,050 | | |
| Transient poor, | 1,000 | | |
| Contingent fund, subject to the governor's drafts, | 1,000 | | |
| Printers bills for extras, | 300 | | |
| Fort Johnson, | 260 | | |
| Expenses of members for the present session, | 1,400 | | |

Debt

| | |
|-----------------------------------------------|---------------|
| Debt due to Mr. Burn, | 4,000 |
| Commission on receiving taxes, | 2,000 |
| Commissioners for settling public accounts, | |
| for one years salary due to them, | 1,500 |
| Arrearages of annuities including the | |
| present year, | 3,872 7 5 |
| The Rev. Mr. Loge, for preaching before the | |
| members of the legislature, at their November | |
| session, 1792. | 30 |
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| | £.39,207 16 1 |

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An ACT to alter and amend the Act, entitled "an Act to oblige persons interested in Marriage, Deeds and Contracts, to record the same in the Secretary's Office of this State.

Preamble:

WHEREAS the act of the legislature passed the eighth day of March, 1785, entitled "an Act to oblige persons interested in marriage deeds and contracts, to record the same in the secretary's office of this state," hath been found to be defective and inadequate to remedy the mischiefs thereby necessary to be provided against, inasmuch as the sanction or penal clause of the said act is judicially deemed and declared not to extend to, and comprehend such marriage deeds, settlements or contracts, as were actually existing at and before the time of passing of the said act, in remedy whereof,

Marriage contracts not recorded according to former act, shall be records in 18 months or be fraudulent and void as to creditors, &c.

Be it therefore enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That all marriage contracts, deeds and settlements, which existed, and were of legal force and operation at the time of the passing of the said act, and have not been recorded within the time and manner therein prescribed, after being duly attested and proved, shall be recorded or lodged in the secretary's office of this state, within eighteen months after the passing of this act, otherwise, and in case of neglect and default of recording or lodging the said marriage contracts, deeds and settlements within the time, and in manner herein prescribed and directed, then the same and every thing therein contained, shall be, and are hereby declared to be fraudulent and null and void, with respect to and against creditors, and bona fide, purchasers and mortgagees.

Marriage contracts after 1st June to particularise the property by schedule, &c.

Be it further enacted by the authority aforesaid, That all marriage contracts, deeds and settlements to be made, after the first day of June next, shall therein describe, specify and particularise the real and personal estate, thereby intended to be included, comprehended, conveyed and passed, or shall have a schedule thereto annexed, containing a description, and the particulars and articles of the real & personal estate intended to be conveyed and passed by such marriage contracts, deeds and settlements, which said schedule shall be thereto annexed and signed, executed, and delivered by the parties therein interested at the time of the signing, executing and delivering the said

said marriage contracts, deeds and settlements, and be subscribed by the same witnesses, who subscribed the said marriage contracts, deeds or settlements, and shall be recorded therewith, otherwise and in default of such schedule and recording thereof as aforesaid, the said marriage contracts, deeds and settlements shall be, and are hereby deemed and declared to be fraudulent and null and void, with respect to and against creditors, and *bona fide*, purchasers or mortgagees.

In default of such schedule, to be void.

Provided, That where any marriage settlement shall be made, previous to marriage, nothing herein contained shall be construed to extend to make the property settled thereby liable in default of a schedule, or not being duly recorded to the payment of any debts contracted by any husband previous to such marriage, but only to such debts and contracts as shall have been incurred and made by the said husband, subsequent to the marriage taking place.

Provido, not to extend to make property liable for husbands debts before marriage.

In the Senate House, the twenty first day of December, in the year of our Lord one thousand seven hundred and ninety two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

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An ACT to alter and amend the several acts for establishing and regulating Circuit Courts through this State.

BE it enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That to prevent false or erroneous entries in the journals of the courts of common pleas in the said districts; it shall be the duty of the clerks of the said courts respectively, on each day previous to the adjournment of the court, to read over to the judge or judges who may preside, the minutes or entries which shall have been made during the day, in the said journals.

To prevent false & erroneous entries, in the journals of the courts, clerks to read them over to the judges.

And be it further enacted by the authority aforesaid, That the jurors drawn at the last courts at Cambridge and at Camden to serve at the ensuing courts shall be taken and deemed to be good and legal juries, and shall be obliged to serve as such according to law; any informalities in the drawing of the said jurors to the contrary thereof notwithstanding.

Juries drawn at the last court at Cambridge and Camden declared to be legal.

And to the end, that the said Judges of the courts of common pleas may be better enabled to carry into effect the several acts of the legislature, providing for the making of jury lists: *Be it further enacted by the authority aforesaid*, That the judge or Judges in each of the courts in this state, and at any time during the term at which it shall be necessary to provide for the making of a new jury list, shall and may by rule of court, order and direct the several tax collectors

Judges to order the tax collectors to furnish lists of taxable inhabitants.

within

within the district, to furnish to the sheriff of the district by a day therein to be mentioned, the names of all the inhabitants entitled agreeably to the constitution to vote for members of the legislature within the respective parishes or counties of the said tax collectors respectively, distinguishing such names as have paid five shillings, and less than fifteen shillings; and such as have paid fifteen shillings and upwards for taxes the last year, to be by the said tax collectors transcribed from their books or lists respectively for that purpose; a copy of which rule the sheriffs of the said districts respectively, shall cause to be served upon each tax collector within the district, and upon neglect or refusal of any tax collector to obey the exigence of such rule, and upon proof of a copy thereof, having been duly served upon him, he shall be liable to be punished by the said court as for a contempt.

And punish them
in case of neglect.

Three judges to attend
the adjourned court
of Columbia.

And be it further enacted by the authority aforesaid, That not less than three judges shall hereafter preside and hold the adjournment court at Columbia, but as many more as may be convenient.

No attorney not res-
iding in this state al-
lowed to practice

And be it further enacted by the authority aforesaid, That no person hereafter shall be permitted to practice as an attorney or solicitor in any of the courts of this state, whose known and established residence is not within this state; and all writs and other process issued, or pleadings filed by or on the part of attorneys or solicitors residing out of this state, are hereby declared to be illegal and invalid, and may be quashed on motion. Provided nevertheless, That it may be lawful for attorneys or solicitors living without this state, to attend the next judiciary court to finish business now pending.

Provide

Process served on
absentees by posting
on the court house
door

And be it further enacted by the authority aforesaid, That where rules or process to revive proceedings at law, cannot be served upon persons, because of their absence from and without the limits of this state, it shall be sufficient to post such rules or process upon the court-house door of the district in which such absent persons had their last residence.

Where bonds are given
for the performance
of covenants &c, the
conditions submitted
to a jury, who shall as-
sess the damages.

And to prevent unnecessary suits in equity, where bonds are given conditioned for performance of covenants, or for the delivery of property, or for things other than the payment of money: Be it further enacted by the authority aforesaid, That the plaintiff may in all such cases before he takes out his execution (and the defendant may by rule of court compel him thereto) submit the condition of such bonds, and the special circumstances to a jury, in like manner as on a writ of enquiry, which jury may assess and fix the debt or damages actually due, and the execution shall be levied accordingly: Provided always, That the judgment for the penalty shall stand as a security for the sum so assessed by the jury, together with the costs of suit.

Provide

Remedy upon co-
partnership debts.

And to the end, that plain and adequate remedy may be furnished at law upon co-partnership debts, where one or more of the co-partners is or are out of the state, and cannot be served with process; or where there are dormant co-partners: Be it further enacted by the authority aforesaid, That in all such cases it shall be sufficient to serve process upon such of the co-partners as may reside, or be found in the state, or upon such of the firm or co-partnership as are known, and suits so commenced against co-partnerships, are hereby declared to

to be legal and valid; any law, usage or custom to the contrary thereof in anywise notwithstanding.

And be it further enacted by the authority aforesaid, That all process lodged for service and actually served, or copies left at the defendant's place of abode, for the circuit courts after the time prescribed by law for the return of process, shall not by reason thereof be void, but shall be good for the second court thereafter, in the same manner as though they had been served or executed thirty days next before the sitting of the said second court.

And whereas, the dockets of causes at issue for trial at Camden and at Cambridge have respectively become very large, so that the time allowed by law is not sufficient for the trial of the whole of the said causes: Be it therefore enacted by the authority aforesaid, That the courts of common pleas at the aforesaid places respectively, at the ensuing April term, shall and may sit from day to day (Sundays excluded) until the whole of the causes at issue be tried; provided the term do not extend beyond fifteen days.

In the Senate House, the twenty-first day of December in the year of our Lord one thousand seven hundred and ninety-two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives

An ACT to prohibit the importation of slaves from Africa or other places beyond sea, into this State, for two years, and also to prohibit the importation or bringing in of negro slaves, mulattoes, Indians, Moors or mustixoes bound for a term of years from any of the United States by land or Water.

WHEREAS it is deemed inexpedient to increase the number of slaves within this State, in our present circumstances and situation:—

BE it therefore enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That no slave shall be imported into this State from Africa, the West-India islands, or other place beyond sea, for and during the term of two years, commencing from the first day of January next, which will be in the year of our Lord one thousand seven hundred and ninety-three.

And be it further enacted by the authority aforesaid, That no slave, or negro, Indian, Moor, mulatto or mustizo, bound to service for a term of years, shall be brought into this State, by land or by water
C from

Process for the circuit court lodged or served after time prescribed shall be good for the second court thereafter.

Courts of common pleas at Camden and Cambridge may sit 15 days next April term

Preamble

No slave to be imported from beyond sea for 2 years

No slave, or negro &c. bound to service for a term of years

Shall be imported
from any of the Uni-
ted States &c

Provide, persons com-
ing to settle in the
may state bring slaves
&c

Persons intermarry-
ing &c

Persons travelling

Penalty for import-
ing slaves, &c-

Forfeitures and

Fifty pounds

Persons having know-
ledge or suspicion of
such importation to
make information to
a magistrate

Manner of proceed-
ing on such informa-
tion being given

Before two magi-
strates and three free
holders

from any of the United States, or any of the countries bordering thereon, ever hereafter. *Provided nevertheless*, That it shall and may be lawful for any citizen of the United States, coming to settle with his family in this state, from any of the United States, and actually settling in this state for five years, to bring along with him or her, all such slaves as he, she or they may possess, in his, her or their own right, or as guardian for any person removing with him, her or them; but no person shall be permitted under colour of such removal, to bring with him, her or them into this state for sale, the slave or slaves of any other person. *And provided also*, That if any citizen of this state shall intermarry with a citizen of another state, it shall and may be lawful for such citizen to bring into this state, all such slaves as he or they may actually and directly acquire by such intermarriage. *And provided*, nothing in this act contained, shall be construed to extend to the servants or domestics of persons travelling to and from, and into this state from any of the United States, or to the domestics of persons coming from any other place, and residing not more than six months in this state: but such servants or domestics shall, in such case be permitted to be sold or to remain in this state, at the departure of their owners or masters.

And be it further enacted by the authority aforesaid, That if any slave or negroe, Indian, Moor, mullato or multizoe, bound to service for a term of years, shall be imported or brought into this state, contrary to the true intent and meaning of this act, such slave or slaves negro, Indian, Moor, mulattoe or multizoe, shall be deemed and taken as a forfeiture to the state, one third part of whose value shall be paid to the person or persons making information of such importation or bringing in; and the person or persons importing or bringing in such slave or slaves; negro, Indian, Moor, mulatto or multizo; contrary to the intent and meaning of this act, shall moreover be subject to a penalty of fifty pounds for every slave or negro, Indian, Moor, mulatto, or multizo so brought in.

And be it further enacted by the authority aforesaid, That where any person has knowledge of or sufficient grounds to believe that any slave or negro, Indian, Moor, mulatto or multizoe, has been imported or brought into this state, contrary to the true intent and meaning of this act, it shall and may be lawful for such person to make information thereof to a magistrate upon oath, who is hereby required and directed to issue his warrant against the person accused of such importation or bringing in; and who, upon hearing the informer and the person accused, may either discharge the accused, if he thinks there is no just cause of information or good grounds of suspicion, or if there appears sufficient cause of information, he shall forthwith take into safe keeping all the slaves, negroes, Indians, Moors, mulattoes or multizoes, so imported or brought into this state contrary to this act, unless the party accused give ample security for redelivery of the same slave or slaves, Indian, Moor, negro, mulatto or multizoe, if adjudged to be forfeited, and said magistrate shall forthwith proceed to summon to his aid one other magistrate and three free holders, who shall hear the parties and adjudge thereon as to law and justice doth belong; and either if the informer or person accused, are dissatisfied with the judgment of the single magistrate,

magistrate, or the magistrates and freeholders, they shall be allowed an appeal from such judgment, to the next court of common pleas to be holden for the district where such trial has first been had, where the said appeal shall be tried before a jury of the country, without delay the judgment of which court shall be final conclusive.

If either of the parties are dissatisfied they may appeal, &c

In the Senate House, the twenty first day of December, in the year of our Lord one thousand seven hundred and ninety-two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

An ACT to repeal a part of the act, passed the nineteenth of February, 1791, entitled "an Act for gradually calling in and sinking the Paper Medium, issued by virtue of an act, entitled "an Act to establish a medium of circulation by way of loan, and to secure its credit and utility," passed the 12th of October, 1785, and for other purposes therein mentioned.

WHEREAS by reason of the extraordinary droughth which prevailed during the last summer throughout this state, many of the inhabitants thereof have lost, some a part, and others nearly the whole of their crops, whereby they will be deprived of the means of paying such part of the principal of the paper medium by them borrowed, as will become due on the first Wednesday in March next :

Preamble

Be it therefore enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That so much of the act, passed the 19th of February, 1791, entitled "an Act for gradually calling in and sinking the paper medium, issued by virtue of an act, entitled "an act to establish a medium of circulation by way of loan, and to secure its credit and utility," passed the 12th October 1785," as requires one fifth part of the principal sum borrowed of the said paper medium, to be paid by the borrowers on the first Wednesday in March next, which will be in the year of our Lord one thousand seven hundred and ninety three, shall be and the same is hereby repealed ; and that such fifth part shall be payable at the time when the last payment shall become due, under the said act. *Provided, That* no borrower of the paper medium who failed to make the payment which was required to be made on the second Wednesday in May, one thousand seven hundred and ninety-one, or who failed to make the payment which was required to be made on the

Repealing clause

Proviso, respecting persons who failed to make payments in 1791 and 1792

first

Not to affect suits
brought against persons
who failed to make
payments agreeably to
the act of 1791.

Where purchasers
under commissioners
sales have made default
they may proceed sum-
marily against those
who shall purchase
the mortgaged proper-
ty under a re-sale up-
on default made

The treasurer in
Charleston to expose
certain lands to sale
4 weeks after 1st Wed-
nesday in March next

To advertise such
sales in the gazettes
of Charleston and Co-
lumbia for 3 weeks

Persons paying their
arrears of interest &
principal, before the
day of sale to have
their lands restored,
&c

Respecting land
bought in on account
of the state by the
treasurers

first Wednesday in March, one thousand seven hundred and ninety-two, shall be entitled to the benefit of this act, unless such borrowers shall on or before the first Wednesday in March next, which will be in the year of our Lord one thousand seven hundred and ninety three, pay up whatever may be due by such borrower, on account of either of the instalments, of the principal before mentioned, and the whole of the interest that will become due on the first Wednesday in March, in the year 1793, together with all costs and charges, which may have accrued in consequence of such borrowers default, but nothing in this proviso contained, shall abate or otherwise affect any suit brought or judgment obtained against any person or persons who failed to make payment agreeably to the directions of the said act, passed on the 19th February 1791, or any sale made under or by virtue of the said act.

And be it further enacted by the authority aforesaid, That in every case where the treasurer in Charleston, has, by virtue of the said act, or where the late commissioners of the loan office have sold the land mortgaged for any of the said paper medium, and the purchaser thereof has failed to comply with the terms of sale, the said treasurer shall proceed against such person or any person hereafter purchasing such lands in the same summary manner as is directed by the ordinance for regulating public vendues, when purchasers fail to comply with the terms of sale.

And be it further enacted by the authority aforesaid, That the treasurer in Charleston, shall on the Wednesday four weeks after the first Wednesday in March next, expose to public sale, to the highest bidder, all such lands as he or the late commissioners of the loan office may have bought in, on account of the state, at any sale made in consequence of any default made by any borrower of the paper medium, on a credit of one, two, three and four years, taking from the purchaser thereof, a mortgage of the premises sold, and a bond with approved personal security, bearing interest from the date; provided that the said treasurer shall advertise such intended sales in the Gazettes of Charleston and Columbia, for three weeks previous to the time of sale.

And provided further, That if the persons who are the borrowers of the paper medium, shall pay, on or before the Wednesday four weeks after the first Wednesday in March next, the arrears of interest and principal by them then due, and give such additional security as shall be required by the commissioners of the treasury, then the said lands sold as aforesaid, shall be restored, but subject to the original mortgage, in trust for the public and the former proprietors, or their legal representatives, shall be entitled to the same benefits they would have been entitled to, if no default had been made.

And be it further enacted by the authority aforesaid, That whenever the said treasurer shall at any future sale of any land mortgaged for the said paper medium, buy in on account of the state, any such land, he shall within two months from the time of buying in any such land as aforesaid, proceed to have the same sold in the same manner, and

and on the same terms, as are mentioned in the next preceding clause.

In the Senate House, the twenty first day of December, in the year of our Lord, one thousand seven hundred and ninety two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*



An ACT to authorise the County Courts and Commissioners of the roads to grant Licences for keeping Billiard Tables.

BE it enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That where county courts are or shall be established, all applications for billiard licences, shall be made to the county courts; and where no courts are established, to the commissioners of the public roads, who shall respectively have the power of granting the same; which licences so granted, shall only be of force for one year, and the sum for billiard licences (except in Georgetown, the city of Charleston, and the town of Camden) shall be twenty pounds, and the monies so received, shall be applied, by the persons granting the same, as the monies arising from tavern licences have been heretofore applied: And the clerk who makes out the licence as aforesaid, shall be allowed for his trouble, four shillings and eight pence.

County courts to grant licences, &c. & where there are no county courts, the commissioners to grant them.

Fee to clerk for making out licence

Be it enacted by the authority aforesaid, That if any person or person not duly licenced agreeably to law, shall at any time hereafter presume to keep a billiard table; he, she, or they shall forfeit the sum of fifty pounds sterling money, to be recovered by bill, plaint or information, in any court of record within this state, by any person who shall inform or sue for the same; one half thereof to be paid to the said informer, and the other half to be applied in the same manner as the money arising from licences, granted as aforesaid, was intended to be applied by this act.

Penalty on persons not licenced, &c.

In the Senate House, the twenty first day of December in the year of our Lord one thousand seven hundred and ninety two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

D

An

An ACT to grant a further time to the owners of Wharves in Charleston, and other persons having Wooden Buildings thereon, used as Stores only, to pull the same down.

Preamble

WHEREAS it has been represented to the legislature, by a number of owners of wharves in Charleston, that a compliance with the act of the general assembly of the state aforesaid, passed 27th of March, 1787, requiring all wooden buildings thereon erected to be taken down within a certain time therein mentioned, would operate to the injury of individuals, and tend also to great public inconvenience, by lessening the number of stores necessary for the produce of this country :

Owners of stores on the wharves to have further time allowed, till 1st August 1796.

BE it therefore enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That all owners of wharves in Charleston, and other persons having wooden buildings thereon, used as stores only, and not as dwelling houses, shall, for the reasons aforesaid, be allowed a further time, until the first day of August 1796, to pull down and remove the same.

No owners of stores to be liable to the penalty, of the former act

And be it further enacted by the authority aforesaid, That no owner or other person having such building or buildings, used as stores only and not as dwelling houses, shall be subject or liable to the penalty imposed in and by the aforesaid act, until after the expiration of the time herein before limited ; any law, usage, or custom to contrary notwithstanding.

In the Senate House, the twenty first day of December, in the year of our Lord one thousand seven hundred and ninety two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

An ACT relating to the recovery of arrears and other debts, dues and demands, owing to bodies corporate by their members.

Preamble

WHEREAS it is proper that bodies corporate should be enabled to recover from their members, all arrears and other debts, dues and demands, which may be owing to them, in the like mode, manner and form, as one individual could recover the same from another, with whom he had no connection :

Be it therefore enacted by the honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all bodies corporate, by any suit, bill or plaint,

**Bodies corporate
may sue for debts due
by their members:**

[illegible]

Washington 25 June 1964

Washington 25 June 1964

Washington 25 June 1964

Preamble

Preamble

Sale of unclaimed
lands postponed:

An ACT prescribing on the part of this State, the times, places and manner of holding Elections for Representatives in the Congress of the United States.

Division of this state into six election districts 1 Charleston 2 Beaufort and Orangeburgh 3 Georgetown and Cheraw 4 Camden 5 Ninety-Six 6 Washington & Pinckney

Elections to be held on 1st Monday in February next, and always afterwards at the time and places of holding elections for the legislature of this state.

Managers to transmit the ballots to Columbia, indorsed and sealed up in paper directed to the Governor or Secretary of state.

Oath of the messenger carrying the same.

BE it enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That this state shall be, and is hereby declared to be divided into six districts, for the purpose of electing representatives from this state to Congress; of which Charleston district shall be one, Beaufort and Orangeburgh districts united, another; Georgetown and Cheraw districts united, another; Camden district, another; Ninety-Six district, another; and Washington and Pinckney districts united, another; and each of the said six districts shall send one representative from this state to the house of representatives in the Congress of the United States, who shall be chosen by the persons qualified to vote for members of the house of representatives of this state.

And be it further enacted by the authority aforesaid, That the next election of representatives from this state to Congress, shall be held on the first Monday of February next, and the day following, by the same managers, and at the same places, and be conducted in the same manner as the elections of members for the state legislature; and after the day last aforesaid, the said elections shall always be held at the same times and places, and be regulated and conducted by the same managers, and in the same manner, as the elections of members for the state legislature; and the person who, at any of the said elections, shall have the greatest number of votes in the district of Charleston, and the person who shall have the greatest number of votes in the united districts of Beaufort and Orangeburgh, and the person who shall have the greatest number of votes in the united districts of Georgetown and Cheraw, and the person who shall have the greatest number of votes in Camden district, and the person who shall have the greatest number of votes in Ninety-Six district, and the person who shall have the greatest number of votes in the united districts of Washington and Pinckney, shall be the six members from this state, to the house of representatives in the Congress of the United States.

And be it further enacted by the authority aforesaid, That the managers in the several election districts throughout this state, shall, within twenty days after any election, transmit the ballots, by them respectively taken, to Columbia; safely and securely enclosed in paper, sealed with their seals, and directed to the governor or commander in chief of the state, or to the secretary of this state, by a person by them to be employed particularly for that purpose; who, at the time of receiving the said packet, shall take an oath before some magistrate "safely to convey and deliver such packet agreeably to the direction, sickness and unavoidable accidents excepted; and in case of sickness, that he will deliver the same in good order and the seals unbroken at the time of such delivery, to some other person to be conveyed to Columbia:" and the governor, or the secretary of the state (as the case may be) on the receipt of any such packet,

packet, shall cause to be administered to the person delivering the same, the following oath: "I, A. B. do solemnly swear (or affirm, as the case may be) that the paper or packet now delivered by me, with the contents, were placed in my hands by the managers of the election district of _____ or by _____ (in case he hath received the same from the messenger first intrusted) and that the said packet hath not been delivered out of my custody to any person since the same was delivered to me, nor hath such packet or paper been opened by me or by any other person by my knowledge or with my connivance or consent. So help me God." Which paper or packet so delivered, shall be received by the governor or secretary; and the several persons who shall be employed in conveying the said packets to Columbia from the several election districts in this state, shall be entitled to receive, and shall be paid three dollars per diem, for coming to and going from Columbia, allowing forty miles for each days journey.

Oath of the messenger on delivering the ballots

Compensations to messengers

And be it further enacted by the authority aforesaid, That the governor or commander in chief for the time being, or in case of his sickness, death or absence, the lieutenant governor, on the first Monday in March next, for the first election to be held by virtue of this act, and on every first Monday in December next after each succeeding election, shall cause the said returns to be publicly opened, examined and counted in his presence, at Columbia, by three or more commissioners to be by him, and under his hand and seal, appointed for that purpose, and shall ascertain the number of votes given at the different elections for every person, and what six persons shall have respectively, the greatest number of the votes in the said several districts, and shall then deposit the original poll of each of the said six districts, in the office of the secretary of the state; and after having ascertained what six persons have been elected, as before directed, he shall notify by proclamation, that those persons have been duly elected members of the house of representatives in the Congress of the United States. *Provided always,* That if both the governor and lieutenant governor should be absent from Columbia, the secretary of the state, together with the three commissioners to be appointed as herein before-mentioned, shall and may open and count the votes, and ascertain the six persons elected as aforesaid, and transmit the result thereof to the governor, or in case of his absence or death, to the lieutenant governor, to be notified by proclamation as aforesaid. *Provided also,* That the three commissioners to be appointed as aforesaid shall, in all cases, before they proceed to act in the premises, take an oath before some magistrate, "that they will faithfully and impartially, and to the best of their skill, discharge the duties required of them by this act."

Governor or lieutenant governor shall cause the returns to be opened, 1st Monday in March next, and 1st Monday in December after each succeeding election by commissioners to be by him appointed

Governor to notify elections by proclamation

Provido, if the governor and lieutenant governor are absent, the secretary and commissioners to open returns

Oath of commissioners

And be it enacted by the authority aforesaid, That the managers of the said elections be and they are hereby required, the next day after after the poll shall be closed, to count over in a public manner the ballots which shall be given in the respective election districts for the respective candidates or persons ballotted for, and the said managers shall keep an account in writing of the number of votes which each

Managers to count over the votes publicly the day next after the election

E

candidate

candidate shall have; and shall also transmit to the governor with the ballots, a duplicate of such account.

Persons elected for two districts to chuse within twenty days after notification for which they will serve

Governor to order new elections for vacant districts, &c.

And be it further enacted by the authority aforesaid, That in case the same person shall be returned for two or more of the said districts, he may, within twenty days after due notice shall be given him thereof, choose for which district he will serve, and on his making such choice, or neglecting to do so, within the said term, the governor or commander in chief shall direct another election to be held within twenty days thereafter, for the vacant district or districts, to be conducted and regulated in like manner as before prescribed; and the governor or commander in chief shall proceed in the same manner, where the member elected in any of the said six districts refuses to serve, or omits to signify to the governor or commander in chief, within twenty days after he has received due notice of his election, his intention of serving, and in case of the death of any person elected, or if his seat shall become vacated by any other means, or if two or more persons shall have equal votes for the same district, the governor or commander in chief shall order a new election, as the case may require, to be conducted, as nearly as may be, in the manner before prescribed.

In the Senate House, the twenty first day of December in the year of our Lord one thousand seven hundred and ninety-two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

An ACT to ascertain the names by which the villages, wherein the district courts are held in Pinckney and Washington districts, shall be known in law, and to provide uniform seals for the several district courts throughout the state, and to exempt the persons therein specified, from toll and ferriage.

Preamble

WHEREAS it is necessary that the places where the district courts are held in Pinckney and Washington districts should be known in law by certain names.

Pinckney ville

Be it therefore enacted by the honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the place or village on the south west side of Broad river, a little below, and within one mile of the mouth of Pacolet river, being the situation wherein the gaol and court-house of the said district have been built by the direction of the commissioners appointed for that purpose, shall be called Pinckney Ville, and by that name shall always be known in law, and that the place or village in Pendleton county in this state, where the gaol and court

court-house of Washington district have been built by the direction of the commissioners appointed for that purpose, being upon land lately conveyed to the said commissioners by the hon. brigadier general Charles Cotesworth Pinckney, shall be called Pickensville, and by that name shall always be known in law.

Pickensville

And whereas, it is proper that the seals of the several district courts in this state should be uniform :

Be it further enacted by the authority aforesaid, That immediately after the passing of this act, the judges of the court of common pleas shall, at the expence of the state, cause eight seals to be made, one for each of the districts, of an impression similar to that of the court of common pleas in Charleston district, and as nearly uniform with that seal as they in their judgment shall think proper, except that each seal shall, in the legend have the name of the court in which it is used, one of which said eight seals shall be delivered by the said judges, or one of them, to the clerk of each of the district courts of Georgetown, Cheraw, Camden, Pinckney, Washington, Ninety-Six, Orangeburgh and Beaufort districts, for the use of the said courts, at or before the next meeting of the said several courts, after which time the said seals shall always be affixed to such proceedings of the said respective courts as may require the seal of the said courts respectively.

Judges of the court of common pleas, to procure seals for the district courts, upon the plan of the seal of Charleston district.

Which shall be affixed to all such proceedings as require a seal,

And be it further enacted by the authority aforesaid, That every person going to or from divine service on Sunday, and every person going to or from musters and elections, and every member going to or from the legislature of the state, and all commissioners of the roads going to and from their stated meetings in their own parish or district, together with their servants and attendants, and all persons in time of alarm in such parts of the state where the alarm is, and every person who shall have to attend any district court or county court as a grand jury man, petit jury man, a juror of the court of common pleas, or a witness in behalf of the state, or a prosecutor in the court of sessions, or a constable travelling and employed on the business of the state, shall, free of expence, pass every road, bridge, causeway and ferry, which may lie in his way going to, or about, or returning from either of the said courts or the business of the state as aforesaid ; and that every person having the care, management or direction, or owning any ferry, toll bridge or causeway, now or hereafter to be established in this state, shall be bound and obliged to give the same attendance to every such person as aforesaid, without fee or reward, as by law now is or hereafter may be required to be given to any person who is chargeable with toll or ferriage, and in default thereof, shall incur the same penalties, as he would incur if a like default had been made with respect to any person who is chargeable with toll or ferriage.

Persons exempted from toll or ferriage

Penalty

In the Senate House, the twenty first day of December, in the year of our Lord one thousand seven hundred and ninety two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

An

An ACT for vesting in the Town Council of Camden the exclusive power of granting Licences for retailing Spirituous and other Liquors, and for keeping Billiard Tables within the limits of the said Town of Camden, and appropriating the sums arising therefrom, to the benefit of said Town Council.

Preamble.

WHEREAS the town council of Camden have by their petition to the general assembly, represented that the inhabitants of Camden are subject and liable to a very considerable taxation for all the expences of their corporation, which might be much lessened by having the power vested in them exclusively for granting licences to retail spirituous and other liquors, and for keeping billiard tables within the limits of the said town of Camden, provided they were also authorized to apply the monies, which they might receive for granting such licences, to the benefit of the said town council of Camden.

Town Council shall have the sole power of granting licences, &c.

BE it therefore enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That from and after the passing of this act, the said town council of Camden shall have and exercise the sole and exclusive privilege of granting licences for the retailing spirituous and other liquors; and for keeping billiard tables within the limits of the said town of Camden.

Fees, &c. to be paid on granting licence

And be it further enacted by the authority aforesaid, That all and every person and persons to whom licences shall or may be granted by the said town council, for retailing wine, brandy, rum, gin, or any spirituous liquors or strong drink whatever except whiskey (which may be retailed in any quantity not less than one gallon, without licence) in any quantity less than three gallons, within the limits of the said town of Camden, shall pay for every such licence, the sum of thirty shillings sterling money to the town council of Camden for the use of the said town council, and five shillings to the clerk for making out said licence and the bond accompanying the same, and all and every person and persons to whom licence shall or may be granted for keeping a billiard table within the limits of the said town of Camden, shall pay for every such licence the sum of twenty pounds sterling money to the said town council of Camden, for the use of the said town council, and five shillings to the clerk for making out the licence, and the bond accompanying the same, and every licence which shall be granted by virtue of this act, shall continue and be of force for the term of one year and no longer.

In the Senate House, the twenty first day of December, in the year of our Lord one thousand seven hundred and ninety-two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

As

An ACT for enlarging the Powers of the Commissioners of Columbia, and for other purposes therein mentioned.

WHEREAS the restrictive operation of the third clause of an act entitled, "an act to appoint commissioners to purchase lands for the purpose of building a town and removing the seat of government thereto," has been found unfavorably to affect the sale of lands in the town of Columbia:

Preamble.

BE it therefore enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That the commissioners for the time being, of the town of Columbia, may hereafter sell and dispose of at public auction, after giving thirty days public notice thereof, on a credit of twelve months any of the lands laid off in the plan of the said town, except the streets leading to, and the street on Congaree river, either by large or small parcels, as to them shall seem proper, and for such price as can be procured therefor, so that such sale be not for less than seven guineas per acre. Provided also, that the power hereby vested shall not extend to authorize the sale of any lots of land which lay within the bounds of the streets known by the name of Pickins-street, Gadsden street, Divine-street and Plain-street.

Commissioners of Columbia may sell land in said town at auction, on giving 30 days public notice.

Proviso.

And be it further enacted by the authority aforesaid, That vendue masters hereafter selling any lots or squares within the limits of the town of Columbia, shall receive their commission only for such lands as shall be sold and actually paid for.

Vendue masters shall receive commissions only on actual payments.

And be it further enacted by the authority aforesaid, That the purchasers of lots of land without the boundaries aforesaid shall be permitted to erect thereon dwelling houses of any dimensions or of any materials they may chuse; any law to the contrary thereof notwithstanding.

Purchasers of lots without the boundaries may build houses of what dimensions &c they please,

And be it further enacted by the authority aforesaid, That the commissioners of Columbia be and they are hereby authorized to convey to Thomas Taylor, James Taylor, George Wade, James Green Hunt, and Benjamin Waring, and their successors as trustees for the free school at Columbia, one of the out squares, of four acres, of the land reserved for the use of the public in the said town of Columbia, for the use of the said free school.

Commissioners authorized to convey one square to the trustees for the free school.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-two, and in the seventeenth year of the independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

F

An

An ACT to establish an Inspection and Ware Houses
at or near the Fish Dam Ford, on the south side
of Broad River.

Preamble

WHEREAS it has been represented to the legislature by the inhabitants who live adjacent to the Fish Dam Ford, that it would tend very much to their and the public convenience, to have an inspection and ware houses established at or near the Fish Dam Ford :

An inspection and
warehouses at or near
Fishdam ford, on the
south side of Broad-
river.

BE it therefore enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That an inspection and two or more ware houses for the inspection and reception of tobacco and flour, shall be established and erected at or near the said Fish Dam Ford, on the south side of Broad River aforesaid, as soon as conveniently may be after the passing of this act, which in as far as the same relates to tobacco, shall be subject to all regulations, restrictions and conditions mentioned, set forth and expressed in and by an act of the legislature, entitled " an act for regulating the inspection and exportation of tobacco," passed the thirteenth day of March, one thousand seven hundred and eighty-nine.

Commissioners ap-
pointed to fix a place,

And be it enacted by the authority aforesaid, That colonel Thomas Brandon, colonel Joseph Brown, Bernard Glenn, James Glenn, William Kennedy, John Wilson, and William Farr, shall be, and are hereby appointed commissioners to fix upon the most convenient place, at or near the said Fish Dam Ford, for the said inspection and ware houses. And that the said commissioners, or a majority of them, shall have the power to chuse inspectors for the said ware houses, and to make such additional regulations to those prescribed by the aforesaid act, as they or a majority of them shall deem expedient and necessary.

Who shall also have
power to chuse in-
spectors, and make
additional regulations

And be it enacted by the authority aforesaid, That the said commissioners or a majority of them, shall be and they are hereby empowered to make such regulations respecting the inspection of flour as they shall think fit.

And make regula-
tions respecting flour

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.

*****!!*****

An ACT to prevent obstructions to the passage of
Fish in Big Lynch's Creek.

Preamble.

WHEREAS sundry persons inhabitants of the several counties of Chesterfield, Darlington, Kershaw and Lancaster, as by their petition to the legislature is set forth, have experienced many inconveniencies by obstructions to the passage of fish up Big Lynch's creek ; in remedy whereof,

BE

BE it enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That any person or persons, who now have, or hereafter may erect any fish dam or fish dams, mill dam or mill dams, hedge or hedges, or other obstruction or obstructions whatsoever, across Big Lynch's creek, shall, after the passing of this act, from time to time, and at all times between the fifteenth day of February and the first day of April in every year, provide and keep a passage at least eight feet wide, sufficient to let fish freely pass up through such fish dams, mill dams, hedges and other obstructions across the said creek.

Persons erecting fish dams &c shall leave free passage for fish

And be it further enacted by the authority aforesaid, That any person or persons who shall neglect or refuse to provide and keep such passage as aforesaid, in his, her or their dams, hedges or obstructions as aforesaid, shall for every day he, she or they so refuse or neglect, respectively, forfeit and pay the sum of six pounds lawful sterling money of this state, to be recovered in any court of record, having jurisdiction, by any person who shall inform and sue for the same, one moiety to the state for the use of the county where such suit shall be prosecuted, and the other to the person informing and suing for the same.

Penalty for neglecting or refusing to keep such passage

Provided nevertheless, That no person or persons shall be liable to the forfeiture aforesaid, who shall during all the time aforesaid, keep open a canal of the width of eight feet, communicating immediately with the said creek above and below, his her or their respective mill dam, and of sufficient depth for the free passage of fish.

Provide

And be it further enacted by the authority aforesaid, That this act shall be deemed and taken to be a public act, and judicially taken notice of as such without special pleading, and liberally construed for carrying the purposes aforesaid into effect.

This act declared a public act

In the Senate House, the twenty first day of December, in the year of our Lord one thousand seven hundred and ninety two and in the seventeenth year of the independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives,

An ACT to establish a new County, to be formed out of the counties of Claremont and Clarendon, and and for other purposes therein mentioned.

WHEREAS the inhabitants of certain parts of Claremont and Clarendon counties are desirous of having a new county formed out of the said two counties of Claremont and Clarendon; and whereas the same will be conducive to the convenience of the said counties:

Preamble

BE

Salem county formed

Boundaries

Shall be entitled to hold county courts.

Times of holding them.

Commissioners to fix a place for court house and gaol

Manner of voting at elections, &c

BE it enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That from and immediately after the passing of this act, a new county shall be formed out of the aforesaid counties of Claremont and Clarendon, and shall be known and distinguished by the name of Salem county, and shall have the following lines and boundaries, to wit: the line to form the said county, shall begin at the district line of Georgetown, on Black river, and shall from thence run on the said line to Lynche's creek, from thence up the said creek to the line of Kershaw county, from thence on said line to Scape where swamp, thence down Scape where swamp to Black river, and down Black river to the beginning on Georgetown district line; which said county shall be entitled to countycourts, to be holden as follows: the judiciary courts on the first day of April and September and the intermediate courts on the third Mondays of June and November in every year; which courts shall hold, exercise and enjoy the several powers, jurisdictions and authorities as are by law vested in the county courts of this state, and that the said county shall be and the same is hereby considered as a part of Camden district.

And be it enacted by the authority aforesaid, That James Dickey, Thomas Wilson, John Singleton, Thomas Chandler and John M'Kelven, shall be and hereby are appointed commissioners with full power to fix on a convenient place for the erection of a court-house and gaol for the said county.

And be it enacted by the authority aforesaid, That the inhabitants of that part of the said county, formerly included in Claremont county, herein and hereby established, shall be entitled to vote at all elections for members of the legislature to represent them in the legislature of this state, at the court house of said county, and their votes shall be counted with the votes of the inhabitants of Claremont county as heretofore; and the inhabitants of that part of said county, heretofore included in Clarendon county, shall be entitled to vote for members to represent them in the legislature at the house of Mrs. Benbow, and the managers of such elections shall meet, two days after the close of such elections, at the court house the managers of the election held within and for the county of Clarendon, to count the votes and declare the persons duly elected; and the inhabitants of said county shall vote for a senator; in common with the counties of Claremont and Clarendon, and the votes shall be counted together with the votes of the inhabitants of Claremont and Clarendon counties.—And the inhabitants of said county of Salem, shall and may vote for a member of Congress at the places of election herein before-mentioned, their votes shall be returned and counted with the votes of the other inhabitants of Camden district, in the manner prescribed by law for the election of members of Congress.

In the Senate House, the twenty first day of December in the year of our Lord one thousand seven hundred and ninety two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

An ACT to ascertain and fix the lines of division between the counties of Kershaw and Lancaster, and also those between the said county of Kershaw and the county of Claremont, and between the said counties of Kershaw and Richland.

WHEREAS by an act, entitled "an act to establish a county and county courts in the district of Kershaw," passed the nineteenth of February, one thousand seven hundred and ninety-one, John Simpson, Douglass Starke, Isham Moore Philip Pearson, Thomas Ballard, Benjamin Waring and Samuel Boykins, were appointed commissioners to survey the lines between the aforesaid counties, and to report to the legislature thereupon. And whereas the said commissioners have reported in conformity to the directions of the above mentioned act.

Preamble

BE it therefore enacted by the honorable the senate and house of representatives now met and sitting in general assembly and by the authority of the same, That from and after the passing of this act, the line to divide the counties of Kershaw and Lancaster, shall commence at and run from Starke's ferry on the east side of the Wateree river, in a direct line to the ford of Hanging Rock Creek (on the main road leading from Camden to Waxfaw) from thence down the main Charleston road to George Miller's house, in a direct line to Harrison's ford, on great Lynche's creek, and that the same shall be, and are hereby declared to be the dividing lines between the said counties of Kershaw and Lancaster.

Dividing line between Lancaster and Kershaw counties

And be it further enacted by the authority aforesaid, That the line to divide the counties of Kershaw and Claremont shall commence at and run from Spivey's ferry aforesaid, in a direct line, running to the fork of the road at Garrets old field, from thence to the mouth of a small gut, which runs out of the Wateree river to Swift creek, above General Sumter's plantation; from thence up the middle of said gut to the Wateree river; and that the same shall be, and are hereby declared to be the dividing lines between the aforesaid counties of Kershaw and Claremont.

Do. between Kershaw and Claremont

And be it further enacted by the authority aforesaid, That the line to divide the counties of Kershaw and Richland, shall commence at and run from the Wateree river, immediately opposite to the point or mark, terminating the lines of division between the two aforesaid counties of Kershaw and Claremont, to Spear's creek, below the mouth of Ragling's creek, in Richland county; from thence up Ragling's creek aforesaid, to John Dougherty's on twenty-five mile creek; from thence in a direct line to the mouth of Colonel's creek, on the Wateree river; and from thence across the Wateree river to Starke's ferry aforesaid; and that the same shall be, and are hereby declared to be the dividing lines between the said counties of Kershaw and Richland.

Do. between Kershaw and Richland

In the Senate House, the twenty first day of December, in the year of our Lord, one thousand seven hundred and ninety two, and in the seventeen's year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.

G

An

An ACT to ascertain and fix the line of division between the parishes of St. Peters and St. Lukes, and for other purposes therein mentioned.

Preamble

WHEREAS the commissioners appointed under and by virtue of a resolve of the legislature of this state, to run and ascertain the line of division between the parishes of St. Peters and St. Lukes, having by their report recommended, that the main waters of the Great Swamp, as far up as the fork, at the plantation of the widow Brantley; from thence up the easternmost branch of the said Great Swamp to the plantation of John Audibert, where the said branch joins Cyprus creek, and from thence down the said Cyprus creek, to the main swamp of Coofawhatchie, as a proper dividing line between the said parishes.

Dividing line between St. Peters and St. Lukes parishes

BE it enacted by the honorable the senate and house of representatives, now met and sitting in General Assembly, and by the authority of the same, That from and after the passing of this act, the said main waters of the said Great Swamp, as far up as the fork, at the plantation of the widow Brantley; from thence up the easternmost branch of the said Great Swamp, to the plantation of John Audibert, where the said branch joins the Cyprus creek; and from thence down the said Cyprus creek, to the centre of the main swamp at Coofawhatchie, shall be, and the same is hereby declared to be the dividing line between the said parishes of St. Peters and St. Lukes; any law, usage or custom to the contrary notwithstanding. *And whereas,* a division of the board of commissioners of the high roads will be more for the convenience of the inhabitants of the said parish of St. Peters;

Black Swamp board and Puryburgh board of commissioners.

Be it further enacted by the authority aforesaid, That the commissioners appointed for the road leading from the Great Swamp bridge to the Sisters ferry, and the upper part of the parish, shall be known and distinguished by the name of the Black Swamp board of commissioners, and those who shall be appointed for the road leading from the Sisters ferry road to Puryburgh, and the lower part of the parish, by the name of the Puryburgh board of commissioners.

One commissioner added to each of the board of commissioners

And be it further enacted by the authority aforesaid, That Joseph Lauton, shall be, and he is hereby appointed a commissioner of the high roads in St. Peter's parish, to join the Black Swamp board, and Peter Porcher, sen. a commissioner of the said roads to join the Puryburgh board.

In the Senate House, the twenty-first day of December in the year of our Lord one thousand seven hundred and ninety two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.

An

An ACT to alter the line of Division between the Counties of Laurens and Greenville.

WHEREAS a number of persons, inhabitants of the upper end of Laurens county, by their humble petition to the general assembly, have represented many inconveniences which they are under from the line of division, as now established between the aforesaid two counties :

Preamble

BE it therefore enacted by the honorable the senate and house of representatives now met and sitting in general assembly, and by the authority of the same, That as soon after the passing of this act as may be convenient, the division line between the said two counties of Laurens and Greenville shall be run from the ford on Enoree river, opposite Zaddock Ford's, in a direct course to the widow Killit's, on Reburns creek, and from thence along the old Indian boundary line to Saluda river; and that the lines so run shall hereafter be deemed the division line between the aforesaid two counties.

Division line to be run between Laurens and Green county.

In the Senate House, the twenty first day of December, in the year of our Lord one thousand seven hundred and ninety two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

An ACT to obtain a more accurate Survey and Map of the State.

BE it enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That Joseph Purcell be and he is hereby appointed geographer to the state, and he is hereby vested with full power and authority to survey all the rivers, creeks, high roads, state line, district lines, county lines, and parish lines of this state, and when the said Joseph Purcell shall have compleated his said survey, he, his heirs and assigns shall have the sole right of publishing and vending the map thereof for the term of twenty years, to commence from the day of first publishing the same; provided the said map is not drawn on a smaller scale than ten miles to an inch, and if any person or persons shall pirate, sell, publish, or expose to sale within the said term, without the consent of the said Joseph Purcell, his heirs or assigns, the map so to be drawn and published by the said Joseph Purcell, such offender or offenders shall forfeit to the said Joseph Purcell, his heirs and assigns such map or maps, and also the sum of two pounds for every other map of the same kind found in his, her or their custody, to be recovered in any court of common pleas in the state, by action of debt in which no wager of law, essoin, privilege or protection, or more than one imparlance shall be allowed. Provided, that nothing

Joseph Purcell appointed geographer of the state, with the expressive right of publishing his map thereof for twenty years.

contained

Any other person
surveying the state,
may publish a map
thereof

contained in this act shall extend, or be construed to extend to pre-
vent any other person from surveying this state, or any part thereof,
and publishing a map of his survey for the emolument of himself or
his assigns.

*In the Senate House, the twenty first day of December, in the year of
our Lord one thousand seven hundred and ninety-two, and in the
seventeenth year of the Independence of the United States of
America.*

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

**An ACT to incorporate the general Committee for
the Charleston Baptist Association Fund.**

Preamble

WHEREAS the reverend Richard Furman, Edmund Bots-
ford, Alexander Scott, Henry Holcombe, Benjamin Moseley,
James Sweat, Bradley Rhame, Isham Gardner and Stephen Nixon,
have by their petition, prayed to be incorporated for certain pious
and laudable purposes, by the name of "The General Committee
for the Charleston Baptist Association Fund."

Charleston Baptist
Association Fund in
corporated

*BE it therefore enacted by the honorable the senate and house of repre-
sentatives, now met and sitting in general assembly, and by the authority of
the same, That the said petitioners and their successors, appointed or
elected, or to be appointed or elected, according to the form, and in
the manner prescribed or to be prescribed by the rules and regula-
tions of the said committee, shall be, and they are hereby incorporated
as a body politic and corporate, in deed and in law, by the name of
"the General Committee for the Charleston Baptist Association
Fund.*

Said corporation to
have perpetual suc-
cession of officers and
members, &c.

*And be it further enacted by the authority aforesaid, That the said
corporation by their name aforesaid, shall have perpetual succession
of officers and members to be appointed or elected in such manner,
and according to such form, as may be prescribed by the rules and
and regulations now existing or hereafter to be made for the govern-
ment of the said corporation, and that they shall have a common
seal, with power to change, alter and make new the said rules and re-
gulations, and common seal, as often as they shall judge expedi-
ent.*

Said corporation
shall be capable of
holding real and per-
sonal estate, not ex-
ceeding 10000. per an-
num, and may implead
and be impleaded,
&c.

*And be it further enacted by the authority aforesaid, That the said
corporation shall be able and capable in law to purchase, have, hold,
take; receive, possess, retain and enjoy to itself in perpetuity, or for
any term of years, any estate, real or personal, of what kind or na-
ture soever (provided the same shall not produce an income exceed-
ing one thousand pounds sterling per annum) and to sell, alien, or
otherwise dispose of the same, as they may think proper, and by its
said name to sue and be sued, implead and be impleaded, answer and
be answered unto, in any court of law or equity in this state, and to
make*

make such rules and bye laws, not repugnant or contrary to the laws of the land, as for the good order and proper government of the said corporation, may by them be thought necessary or expedient.

May make rules, &c. not repugnant to the laws of the land.

And be it further enacted by the authority aforesaid, That the said corporation shall and may have, hold, take, possess, retain and enjoy all such estates, real or personal, money, goods, chattels, and effects, as they are entitled unto.

May hold real and personal estate, &c.

And be it further enacted by the authority aforesaid, That this act shall be deemed and taken to be a public act, and all courts in this state shall take notice thereof as such, and the same may be given in evidence without special pleading.

This act declared a public act.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

*****!!*****

An ACT to alter and amend an Act, entitled "an Act for incorporating divers religious Societies therein named," so far as the same relates to the Presbyterian Church on Edisto Island.

WHEREAS by an act of the legislature of this state, entitled, "An act for incorporating divers religious societies therein named:" the members of the Presbyterian church on Edisto Island and their successors, were declared to be severally one body corporate, by the name and stile of the Presbyterian Church on Edisto Island, and were made capable in law, to purchase, have, hold, receive and enjoy, possess and retain to them and their successors in perpetuity, or for any term of years, any estate or estates, lands, tenements or hereditaments of what kind or nature soever; and also, to hold, receive, possess, enjoy and retain all such other estates, real or personal, money, goods, chattels and effects, which they are now possessed of or are entitled unto, or which have been already given, devised or bequeathed unto them by whatever name such devise or bequest may have been made, as by the said act, reference thereunto being had, will more fully and at large appear.

Preamble.

And whereas divers persons professing the Presbyterian religion, and members of the said incorporated Presbyterian Church on Edisto Island, by their humble petition to the legislature of this state did set forth, that previous to their incorporation by the aforesaid act, divers well disposed and charitable persons, made considerable gifts of real and personal estates to trustees, for the use and behoof of those professing the Presbyterian religion on said island of Edisto; and that no power or authority being given by the said act to the said corporation,

H

tion,

Preamble:

tion, to divest the said trustees of the property entrusted to them as aforesaid, in consequence whereof the same may be either partly diminished or totally lost by their mismanagement or insolvency; they therefore prayed, that as the said corporation are fully competent to the direction and management of their own concerns and the reason for appointing said trustees no longer existing, that the said corporation be authorized and empowered to call to account and compel all and every person or persons whomsoever, holding or retaining any estate, real or personal in trust or otherwise for said church or corporation, to surrender, pay over and deliver up the same to such person or persons, as the said corporation shall or may from time to time elect for that purpose, for the sole and particular use, benefit and behoof of the said corporation.

Said corporation may appoint a person or persons to call to account those persons holding property in trust for the use of the said church.

BE it therefore enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That it shall and may be lawful to and for the said corporation of the Presbyterian church on Edisto Island, from time to time as occasion may require, to elect, nominate and appoint such person or persons as the said corporation may think proper, who in behalf of the said church or corporation, shall be and are hereby fully authorized and required to call to an account, and compel by suit or otherwise all and every person or persons whomsoever, having, holding, retaining or possessing any estate real or personal, in trust or otherwise for the use, benefit and behoof of the said Presbyterian church or corporation on Edisto island, to surrender and deliver up the same, which said estates real or personal, monies, goods and chattels to be accounted for and delivered up, shall be held by such corporation to and upon the several trusts and confidences in the said devisees, conveyances or trust, deeds, giving or granting the same, expressed and to and for no other trust, use or purpose whatsoever: and for the indemnification of said trustees and all others concerned, who shall or may surrender and deliver up the property, lands or estates held by them in trust as aforesaid: and for the better carrying this act into effect.

Persons elected, empowered to execute discharges to all such persons as shall deliver up the estates held in trust as aforesaid.

Be it further enacted by the authority aforesaid, That such persons who shall or may be elected for the purpose aforesaid by the said corporation, be and are hereby empowered and required to execute sufficient releases and discharges for releasing and discharging all and every person or persons, who may surrender and deliver up the estate or estates held by them in trust as aforesaid, for the use, benefit and behoof of the said church, or corporation on Edisto Island.

This act declared a public act.

And be it further enacted by the authority aforesaid, That this act shall be deemed and taken as a public act, and notice thereof shall be taken in all the courts of justice and else where in this state, and shall be given in evidence without special pleadings.

In the Senate House, the twenty first day of December, in the year of our Lord one thousand seven hundred and ninety two. and in the seventeenth year of the independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*
An

An ACT to reimburse sundry Inhabitants of Beaufort district, the sum herein mentioned, and to make an appropriation thereof in conformity with their Petition.

WHEREAS sundry inhabitants of Beaufort district, have by subscription contributed the sum of four hundred and ninety pounds sterling, towards the erection of a goal within one mile of Coosawhatchie bridge; and whereas they have by their petition preferred to the legislature, prayed that the said sum of four hundred and ninety pounds should be reimbursed by the state, and granted to the president and members of the society for promoting and encouraging the education of children, and affixing and establishing schools in that district:

BE it therefore enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That the said sum of four hundred and ninety pounds, shall be and the same is hereby vested in the said president and members of the said society, for the purposes in their petition mentioned, on the following terms and conditions, that is to say: The said president and members of the said society, or any person by them appointed, shall be entitled to receive from the treasurer of the state aforesaid, annually and every year during the term of five years, for the use, benefit, and behoof of the said society, the interest of the said sum of four hundred and ninety pounds, and at the expiration of the said term, shall be and they are hereby entitled to receive the aforesaid principal sum of four hundred and ninety pounds.

Preamble.

4901: granted to the members of the society for promoting and encouraging the education of children.

In the Senate House, the twenty first day of December in the year of our Lord one thousand seven hundred and ninety two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*



An ACT to empower the President and Wardens of the Indigo Society in Georgetown, to establish a Lottery.

WHEREAS the president and wardens of the Indigo Society in Georgetown, have by their petition represented, that they have a fair prospect of establishing a seminary of learning, and that it would much promote their scheme for that purpose if they could obtain the power to establish a lottery.

Preamble.

BE it therefore enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of

An ACT to extend the time for Re-building the Bridge over Ashley river, which was vested in the late Col. Richard Hampton, his Heirs and Assigns, by Act of the Legislature.

WHEREAS John Ewing Calhoun, and William Fishburne, Esqrs. nominated executors of the last will and testament of the late Richard Hampton, Esq. deceased, have presented a petition, setting forth sufficient reasons why the time prescribed and limited in and by the acts of the legislature for rebuilding the bridge over Ashley river, vested by law in the said Richard Hampton, and his heirs and assigns, which hath been lately destroyed, should be extended :

Preamble

BE it therefore enacted by the honorable the senate and house of representatives now met and sitting in general assembly, and by the authority of the same. That the time so prescribed and limited for re-building the said bridge in and by the acts of the legislature in such case made and provided, be extended to the term of two years, to commence immediately from and after the passing of this act, and the representatives of the said Richard Hampton, deceased, shall not be liable to any penalty or forfeiture for not re-building the same within that time ; any law to the contrary thereof notwithstanding.

Time limited for rebuilding the bridge over Ashley river, extended 2 years longer.

And whereas the navigation of the said river is very materially injured by a tedious detention of vessels at the said bridge, and the passing over the bridge has been, and is liable to interruption for a considerable time, by reason that it cannot be passed over while the floor is elevated for the passage of vessels ; and as it is represented that the draw part of the said bridge was injudiciously placed heretofore ;

Preamble of the next clause.

Therefore be it enacted by the authority aforesaid, That the proprietor or proprietors thereof, be obliged to procure and keep in good condition, proper and sufficient anchors with chains and buoys and ropes affixed thereto, and placed in proper positions on each side of the bridge near the draw, in order to enable vessels to drag through and pass without detention, and with speed, safety and convenience—and that the draw be placed in such part of the bridge as will be most conducive to public convenience—and that James Simons, William Bellinger and Lewis Morris, be added as commissioners to John Lloyd, John Rutledge, Richard Hutson, James Ladson, Charles Drayton, John Mathews and Edmund Bellinger, commissioners named and appointed in and by the act, passed the tenth of March, one thousand seven hundred and eighty-four, to see that the said bridge be rebuilt, and ascertain the proper places for the draw, anchors, buoys, chains and ropes according to law. And in case the proprietors of the said bridge shall refuse or neglect to comply with the above requisitions for four weeks after being warned thereto, by either of the above named commissioners, he, she or they shall forfeit all

Proprietors of the bridge to keep anchors, &c. to enable vessels to drag through

Addition of commissioners.

Penalty for refusing to comply with the requisitions of the commissioners.

right to receive any toll on account of the said bridge, until he, she or they shall comply with the above requisitions.

In the Senate House, the twenty first day of December, in the year of our Lord, one thousand seven hundred and ninety two, and in the seventeen h year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

An ACT to extend the time allowed by law to Wade Hampton and John Compy, respectively, for building Bridges over the Congaree and Broad Rivers.

Preamble

WHEREAS Wade Hampton was authorized by act of the general assembly, passed the nineteenth day of February, one thousand seven hundred and ninety-one, to erect a bridge over Congaree river, at a place called Fridig's ferry, with exclusive privilege annexed to said grant, with a condition thereunto annexed, that the said Wade Hampton, his executors, administrators or assigns should be obliged to erect the said bridge within the term of two years. And whereas after the said Wade Hampton had nearly completed the said bridge, the same was swept away and destroyed by an unusually high flood.

And whereas John Compy by a clause in the act above referred to, was in like manner authorized to erect a bridge over Broad river, near the confluence of Broad and Saluda rivers, opposite his own land, with similar privileges and conditions annexed to his grant, which bridge was also nearly completed, and was swept away and destroyed by the same flood, and at the same time with the said Wade Hampton's; and as it is but just and reasonable that the time for re-building said bridges should be extended.

Wade Hampton &
John Compy, to
build their respective
bridges on or before
1st. of January 1795.

BE it therefore enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That it shall and may be lawful for the said Wade Hampton, and for the said John Compy to erect and rebuild their respective bridges on or before the first day of January, which will be in the year of our Lord one thousand seven hundred and ninety five; and if the said bridges, or either are erected or rebuilt within the time prescribed by this act, the owner or owners thereof shall be deemed and taken to have fully complied with the terms of his or their grant or grants; any thing therein contained to the contrary notwithstanding.

In the the Senate House, twenty first day of December, in the year of our Lord one thousand seven hundred and ninety-two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

AN

An ACT to allow John Clement to take and receive the same rates of ferriage as have been heretofore taken for the term of seven years, after the expiration of the present term, and for other purposes therein mentioned.

WHEREAS John Clement has at a considerable expence and labor made a causeway of considerable length across a marsh on Cooper river, opposite the place where Clement's ferry now is :

BE it therefore enacted by the honorable the senate and house of representatives, now met and sitting in General Assembly, and by the authority of the same, That the said John Clement, his heirs and assigns, shall be, and they are hereby authorized to take and receive the same rate of ferriage as have been heretofore taken at the said ferry for the term of seven years, after the expiration of the present term.

And be it enacted by the authority aforesaid, That the said John Clement, his heirs, executors, administrators or assigns, shall have permission to stretch a rope as well across Clouter's creek, as Cooper river, for the conveniency of his ferry boats : Provided nevertheless, That the same shall be let down at night, and as often in the day as the navigation of boats and vessels in the said river shall require. And that the said John Clement, his heirs and assigns shall be, and they are hereby empowered to erect a bridge over Clouter's creek, provided the same shall not impede the navigation of boats and vessels going through or in the same.

In the Senate House, the twenty first day of December in the year of our Lord one thousand seven hundred and nine y-two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

An ACT for laying out certain Roads, establishing certain Ferries and Toll Bridges, and for other purposes therein mentioned. And also, to continue in force the Laws for Regulating the Militia of this State.

BE it enacted by the honorable the senate and house of representatives now met and sitting in general assembly, and by the authority of the same, That a public ferry shall be and is hereby established on Saluda river, at the plantation of Ann Rall, and that the said ferry shall be and is hereby vested in the said Ann Rall, her heirs and assigns for the term of fourteen years ; and that it shall and may be lawful for the said Ann Rall, her heirs, executors, administrators or assigns,

Preamble

John Clement authorized to take ferriage for 7 years longer.

They shall have permission to stretch a rope over said ferry

Proviso

Ferry to be established over Saluda river

Rates of ferriage.

A public road shall
be laid out on the
south side of said
river.

Commissioners

to take and receive the following rates of ferriage and no other, viz. For every foot passenger, two pence; for a led horse, two pence; for a man and horse, four pence; for a waggon and team, two shillings and four pence; for other four wheeled carriage and horses, two shillings and nine pence; for a chair or cart with one horse, one shilling and two pence; for each head of black cattle, hogs, sheep or goats, one penny, and for each rolled hoghead of tobacco, eight pence: And that a public road shall be laid out on the south side of said river, from the said ferry by Godfrey Dryher's mill, to intersect the public road to Granby; and on the north side, from the said ferry to fall into the public road leading to Lee's ferry, and that John Drafft, George Monck and Godfrey Trier, be commissioners on the south side, and Thomas Rhal, George Boughtneight and John Swygart, be commissioners on the north side of said river, to lay out and keep the same in repair.

Ferry to be estab-
lished on Great Pee-
dee.

Rates of Ferriage.

Road to be estab-
lished from Godbold's
causeway to Wachee
bluff.

Commissioners.

Inhabitants liable
to work on said roads

And be it enacted by the authority aforesaid, That a public ferry shall be and hereby is established on Great Peedee, at the plantation of Joseph Buick, and shall be vested in the said Joseph Buick, his heirs and assigns, for the term of fourteen years, and that it shall and may be lawful for the said Joseph Buick, his heirs, executors, administrators or assigns, to take and receive the following rates and no other, viz. When the waters are so low as to admit of crossing the river only by short ferry, for every foot passenger, two pence; for each led horse, two pence; for a man and horse, four pence; for a waggon and team, or other four wheeled carriage and horses, three shillings and six pence; for a chair or cart with one horse, one shilling and six pence, for each head of black cattle, hogs, sheep or goats, one penny, and double the said rates when the overflowing of the said waters makes a long ferry necessary: and that a public road shall be laid out from Godbold's causeway, on Cat-fish creek, the nearest and best way to the Wachee bluff, and from thence to the said ferry, and from the said ferry on the south west side of Peedee, to where the same shall intersect the Cheraw rode: and that another road shall be laid out, leading from the road that goes up the east side of Cat-fish creek, to cross said creek at Oak Island, and from thence the nearest and best way to the Wachee bluff, and from thence to be continued to where the same shall intersect the Peedee old road, on the north east side of Peedee aforesaid: and that John M'Kee and Henry Fatkey, in addition to the present board of commissioners for Liberty county, be and they are hereby appointed commissioners to lay out and keep the said roads in proper repair: that all male inhabitants liable to work on public roads, that live within five miles on the south east side of said road, leading by Oak Island, and that all male inhabitants liable as aforesaid, who live within one mile on the north west side of said creek, be and they are hereby declared liable and compellable to work on the said roads any number of days, not exceeding twelve days in each year; and that all male inhabitants liable as aforesaid, within five miles of the road leading from Godbold's to Wachee's bluff, be and they hereby are compellable to work on said road, any number of days not exceeding twelve days in one year.

And

And whereas, by an act of the legislature, passed the nineteenth day of February, in the year of our Lord one thousand seven hundred and ninety one, and entitled an act for establishing the upper line between the parishes of Prince George, Prince Frederick, and Liberty county; the lines of the said parish of Prince George have been extended without extending the powers of the commissioners of the roads within the same, as far as the line of the said parish :

Preamble to the succeeding clause.

Be it therefore enacted by the authority aforesaid, That the commissioners of the roads within the said parish of Prince George, shall be and are hereby vested with all such powers in the said parish as other commissioners of roads are generally vested with, and shall have the authority to add to their present number, a certain number of commissioners equal to that of those who were formerly appointed in that part of Williamsburg now added to Prince George, by the extending the abovementioned line. And further, that the commissioners of the roads for the said parish, and the commissioners of Williamsburg, shall divide between them into equal parts, all that road leading from Lenud's ferry on Santee, to Britton's ferry on Pee-dee, and dividing the said parish and county, and mutually work upon the same.

The powers of the commissioners of roads for Prince George's parish extended, and authorized to add to their present number of commissioners.

And to divide the roads leading from Lenud's to Britton's ferry, and mutually work on the same.

And whereas also, an act of the legislature, passed the nineteenth day of February, in the year of our Lord one thousand seven hundred and ninety one, and entitled an act for opening and improving the navigation of Great Pee-dee, Wateree, Congaree, Broad river, Savannah, Keowee, Tugaloo, Black river and others, so far as it respects the limits for working upon Black river, does not appear sufficiently extensive :

Preamble, &c.

Be it therefore enacted by the authority aforesaid, That all persons residing within six miles of the said river, shall be liable to work upon the same, in the manner and under the fines and penalties mentioned in the said act. And also, That Robert M'Connel and John M'Clary, Esquires, be added to the present number of commissioners for opening and improving the navigation of the said river.

All persons residing within six miles to work on the same.

And be it enacted by the authority aforesaid, That a public road shall be laid out the nearest and best way from Cathaway's ferry, on Great Pee-dee, to Gibson's ferry on Little Pee-dee, and that Cornelius Mandeville, George Cherry, Francis Kennedy, Philip Bethay, James Graves and Stephen Gibson, be and they are hereby appointed commissioners for laying out the said road, and keeping the same in repair, and are hereby fully authorized to call out the male inhabitants, from sixteen to fifty years of age, residing within four miles of said road, to work thereon for any number of days not exceeding twelve in one year.

A public road to be laid out from Cathaway's, &c.

And be it enacted by the authority aforesaid, That a public road shall be laid out the nearest and best way from colonel Wade Hampton's bridge on Savannah river, opposite Augusta, to the White ponds, and that Walter Robinson, John Lowe and Joseph Red, be and are hereby appointed commissioners, for laying out the said road and keeping the same in repair ; and are hereby fully authorized

A road to be laid out from Col. Hampton's bridge on Savannah river, &c.

to call out all the male inhabitants, from sixteen to fifty years, residing within ten miles of said road, to work thereon for any number of days not exceeding twelve in one year.

Preamble to the
succeeding clause.

And whereas, by an act of the general assembly ratified on the twenty seventh day of February, 1788, commissioners were appointed to lay out and keep in repair a road leading from the lower bridge on Black river, to Lenud's ferry on Santee; and by another act of the general assembly, passed the thirteenth day of March 1789, the said commissioners were authorized to call out all the male inhabitants, from the age of sixteen to fifty years, within eight miles of the same, to work on the said road: And whereas, the proportion of inhabitants liable to work on the said road, has been so large as to cause the other roads in the parish to be too much neglected:

Partially repealing
clauses of certain acts,
&c.

Be it therefore enacted by the authority aforesaid, That the above recited acts be so far repealed as to take away the exclusive right of the said commissioners to call on all the male inhabitants of the age prescribed by law within the above named distance; and that the said commissioners be added to the board of commissioners of the upper part of Prince Frederick's parish, and that the said road be put on the same footing as the other public roads in the said parish; any law, usage or custom to the contrary thereof in any wise notwithstanding.

A road to be laid
out from Orangeburgh
to James Johnston's
bridge, &c.

Another to be laid
out from Col. Hampton's
bridge on Saluda
river, to James
Johnston's bridge on
South Edisto.

Thomas Chappel
empowered to build
a bridge across Saluda
river.

And be it enacted by the authority aforesaid, That a public road shall be laid out from Orangeburgh the nearest and best way to James Johnston's bridge on South Edisto, and from thence to be continued to colonel Wade Hampton's bridge at Augusta—that James Johnston, Simeon Cushman and William Prigh, be commissioners to lay out and keep the same in repair: That a public road shall also be laid out from colonel Richard Hampton's bridge on Saluda, at the place called Water's ferry, to the bridge of the said James Johnston on South Edisto, and from thence by the White ponds to the Two Sisters on Savannah river; and that William Adams, James Johnston and Walter Robinson be commissioners to lay out and keep in repair that part of the road from Hampton's to Johnston's bridge aforesaid; and that all male inhabitants from sixteen to fifty, who live within ten miles of the said two respective roads, be liable to work on them respectively not exceeding twelve days in each year.

And be it enacted by the authority aforesaid, That it shall and may be lawful for Thomas Chappel to build and keep in repair a good and sufficient bridge across Saluda river, at the plantation of the said Thomas Chappel, and that the said bridge shall be vested in the said Thomas Chappel, his heirs and assigns for the term of twenty-one years, reserving however the power to the legislature to regulate the said bridge, and to limit as well the rates of portage as all other matters relating thereto in every term of seven years: and that the said Thomas Chappel, his heirs, executors, administrators and assigns, shall take and receive the following rates and tolls, and no other, to wit: For every foot passenger one penny, for every led horse one penny, for every chair or cart with one horse one shilling and two pence, for

for a man and horse three pence, for every waggon and team of other four wheeled carriage with horses two shillings and four pence, for every rolling hoghead of tobacco eight pence, including the horses and driver, for every head of black cattle, hogs, sheep or goats passing over one half penny.

And be it enacted by the authority aforesaid, That the ferry kept by Robert Swanzy, across Saluda river at the place called Swanzy's ferry, shall be and the same is hereby established and vested in the said Robert Swanzy, his heirs and assigns for the term of fourteen years; and that the said Robert Swanzy, his heirs, executors, administrators or assigns, shall keep at the said ferry, good and sufficient boats and attendance during the said term; and that it shall and may be lawful for the said Robert Swanzy, his heirs, executors, administrators or assigns, to take and receive the following rates of ferriage and no other, viz. For every foot passenger one penny, for every led horse one penny, for a man and horse three pence, for a waggon and team or other four wheeled carriage with horses two shillings and four pence, for every chair or cart with one horse one shilling and two pence, for every rolling hoghead of tobacco including the horses and driver eight pence, for each head of black cattle, hogs, sheep or goats passing over one half penny.

Swanzy's ferry vested in Robert Swanzy, his heirs, &c.

Rates of ferriage.

And whereas, the commissioners appointed to superintend the building of a toll bridge across Edisto river in the county of Orange, from some place at or near the old mill seat, have certified that the portage or toll fixed by the law establishing the same is inadequate to the expence and labor of the aforesaid work;

Preamble, &c.

Be it therefore enacted by the aforesaid, That it shall and may be lawful for the proprietor or proprietors of the said bridge for the time being, from time to time and at all times after it shall be fit for use, to ask, demand, receive and take to and for his and their own proper use and behoof as portage or toll, before any passage over the said bridge shall be permitted, the several sums following in lawful sterling money of this state: For every waggon and team or other four wheeled carriage and horses one shilling and six pence, for every two wheeled carriage and horses and cart and horses one shilling, for every foot passenger or horse two pence, for every man and horse four pence, for every rolling hoghead of tobacco and horses six pence, for every head of neat cattle two pence, for every drove of calves, hogs, sheep or goats one penny per head.

Rates of toll of the bridge across Edisto river increased.

And be it further enacted by the authority aforesaid, That a public road be opened and laid out from a place at or near where Charles Williams's old road intersects the Long Cane road, and from thence the nearest and best way to Edgfield court house, and from thence to intersect the Long Cane road about half a mile below John Frazier's, and also that part of the new road which leads from Augusta to the island ford on Saluda river, be made to pass by Edgfield court house, beginning at the plantation of the said John Frazier, and from thence to intersect the new road between the court house and Samuel Landrums.

A public road to be laid out from Williams's old road, to intersect Long Cane road, &c.

And

A public road to be laid out, leading from Cannon's bridge, &c.

And be it enacted by the authority aforesaid, That a public road be laid out leading from Cannons bridge the most direct, nearest and best way through the Saltcatchers to the Two Sisters' ferry on Savannah river, and that Robert Brown, Edward Kennedy and Henry Zom, junior, be and are hereby appointed commissioners to lay out and keep the said road in good order and repair.

A ferry to be established on Little Pee dee, at Elirsee's landing.

And be it further enacted by the authority aforesaid, That a public ferry shall be, and is hereby established on little Pee dee river, at the place called and known by the name of Elirsee's landing, and that the same be vested in Richard Gallivan, his heirs, executors, administrators and assigns, for the term of fourteen years, and that the said Richard Gallivan, his heirs, executors, administrators and assigns, shall during the said term, be entitled to receive and take the following rates of ferriage and no other, that is to say, For every waggon and team or other four wheeled carriage with horses two shillings, for every chair or cart with one horse one shilling, for each head of black cattle, sheep, hogs or goats, swam or ferried over one half penny, for man and horse two-pence, for each passenger on foot or led horse one penny.

A public road to be laid out from said ferry, &c.

And be it further enacted by the authority aforesaid, That a public road be opened and laid out the nearest and best way from the ferry last above mentioned, to the old road leading up and down the river last above mentioned, on the west side of the said river, that the said road be kept in repair by the inhabitants of Liberty county, and that col. Hext Giles and Robert Dunnam in addition to the other commissioners of the road in that county, be appointed commissioners for laying out the said road and keeping the same in repair.

Additional commissioners.

Another road be laid from said ferry running eastwardly, &c.

And be it further enacted by the authority aforesaid, That another public road be opened and laid out the nearest and best way from the ferry last above mentioned, eastwardly to the road leading up and down the said river, to be kept in repair by the inhabitants of Kingston county, and that Samuel Foxworth, William Hemmingway, John Rodgers, William Nifter and Joseph Graham, be appointed commissioners for laying out the said road, and keeping the same in repair.

A ferry to be established on Savannah river, at the place heretofore occupied by John Sharp, &c.

And be it enacted by the authority aforesaid, That a public ferry shall be and is hereby established on Savannah river, at the place where a ferry has been heretofore held by John Sharp, and that the said ferry shall be vested in John Oliver, his heirs and assigns for the term of fourteen years, and that it shall and may be lawful for the said John Oliver, his heirs, executors, administrators and assigns, to take and receive the following rates of ferriage and no other; that is to say, For a waggon and team or other four wheeled carriage with horses three shillings, for a chair or cart with one horse one shilling and six-pence, for man and horse four-pence, for each passenger on foot or led horse two-pence, for each head of black cattle, hogs, sheep or goats ferried or swam over one penny, for each rolled hoghead of tobacco with horses and driver seven-pence.

And be it enacted by the authority aforesaid, That a ferry shall be, and is hereby established across the Wateree river, in the name and at

at the plantation of John Mickle; and that the said John Mickle shall be entitled to receive the following rates of ferriage and no other, to wit: For a waggon and team or other four wheeled carriage and horses three shillings and six-pence, for every chair or cart with one horse one shilling and six-pence, for a man and horse four pence, for each foot passenger or led horse two-pence, for each head of cattle, hogs, goats or sheep, ferried or swam over, two-pence, and shall hold the same to his heirs, executors, administrators, and assigns, for the term of fourteen years.

And be it enacted by the authority aforesaid, That a ferry shall be and is hereby established on Broad river about six miles from Pinckney court house at the plantation of John Bankhead and that the said ferry shall be vested in the said John Bankhead, his heirs, executors, administrators, and assigns, for the term of fourteen years, and that the said John Bankhead shall be entitled to receive the following rates of ferriage and no other, that is to say; For a waggon and team or other four wheeled carriage with horses two shillings and fourpence, for a chair and cart with one horse one shilling and two-pence, for man and horse four-pence, for each hoghead of tobacco rolled with horses and driver seven-pence, for each passenger on foot or led horse two-pence, for each head of black cattle, sheep, hogs, or goats ferried or swam over, one-penny.

And be it enacted by the authority aforesaid, That a ferry shall be and is hereby established across Broad river, from the plantation of David Hamilton on the one side, to William Sharp on the other side of the said river, and that the said ferry be vested in the said David Hamilton, and William Sharp for the term of fourteen years, and that the said David Hamilton and William Sharp, their heirs, executors, administrators and assigns, shall be entitled to receive and take at the said ferry the following rates and no other, that is to say: For every waggon and team or other four wheeled carriage with horses two shillings and four pence, for every cart or chair with one horse one shilling and two pence, for every hoghead of tobacco rolled with horses and driver seven pence, for man and horse four pence, for each passenger on foot or led horse two pence, for each head of black cattle, sheep, hogs or goats swam or ferried over one penny.

And be it further enacted by the authority aforesaid, That a ferry shall be and is hereby established over Broad river nearly opposite to Pinckneyville, on lands belonging to Warren Beaufort and Edward Tilman, and that the said ferry shall be and is hereby vested in the said Warren Beaufort and Edward Tilman, their heirs, executors, administrators and assigns for the term of fourteen years, and the said Warren Beaufort and Edward Tilman, their heirs, executors, administrators and assigns shall be and they are hereby entitled to receive the following rates of ferriage and no other, that is to say; For every waggon and team or other four wheeled carriage with horses two shillings and four-pence, for each hoghead of tobacco rolled with horses and driver seven-pence, for a chair or cart with one horse one shilling and two-pence, for a man and horse four-pence, for each passenger on foot or led horse two pence, for each head of black cattle, sheep, hogs or goats ferried or swam over one penny.

L

And

A ferry to be established across Wateree river at the plantation of John Mickle, &c.

A ferry to be established on Broad river, about six miles from Pinckney court house, &c.

A ferry to be established across Broad river, with the plantation of David Hamilton on one side and William Sharp on the other.

A ferry to be established across Broad river nearly opposite to Pinckneyville, &c.

A ferry to be established over Saluda river, at the plantation of Jonathan Childs, &c.

And be it enacted by the authority aforesaid, That a ferry shall be and is hereby established over Saluda river, at the plantation of Jonathan Childs, and that the same be vested in the said Jonathan Childs, his heirs, executors, administrators and assigns, for the term of fourteen years, and that the said Jonathan Childs, his heirs, executors, administrators and assigns, shall be entitled to receive and take the following rates of ferriage and no other, that is to say; For every waggon and team or other four wheeled carriage with horses two shillings and four pence, for every chair or cart with one horse one shilling and two pence, for each head of black cattle, sheep, hogs or goats, ferried or swam over one penny, for man and horse four pence, for each passenger on foot or led horse two pence, for each hoghead of tobacco rolled with horses and driver seven pence.

A public road to be laid out from Evans's boat yard on Great Peedee, &c.

And be it further enacted by the authority aforesaid, That a public road be opened and laid out the nearest and best way from Evans's boat yard on Great Peedee, to Groce's ferry on Little Peedee, and that Aaron Pearson, senior, James Conner and Lewis Conner, be appointed commissioners for laying out said road and keeping the same in repair, and that the county court of Marlborough shall from time to time direct and appoint the persons to work thereon, and that such part of an act passed the nineteenth day of February in the year of our Lord one thousand seven hundred and ninety one, as relates to a road leading from said Evans's boat yard to Swinney bluff on Little Peedee, be and the same is hereby repealed.

A public road to be laid out from John Maxwell's on Saluda river, &c.

And be it further enacted by the authority aforesaid, That a public road shall be laid out from John Maxwell's road on Saluda river, the nearest and best way to Benjamin Mitchell's and from thence to the town of Cambridge, and that Benjamin Mitchell and Samuel Rosemond be and they are hereby appointed commissioners for laying out the said road and keeping the same in repair.

The road known by the name of Gaillard's road, declared to be a public road.

And be it further enacted by the authority aforesaid, That the road now known and distinguished by the name of Gaillard's, be established and is hereby declared a public road, and that Elisha Mailard, John Joiner, John Steuart, James Rowshan Stewart and Edward Lynes, be appointed commissioners to keep the same in repair.

A public road to be laid out from Buford's bridge on Saltcather, &c.

And be it further enacted by the authority aforesaid, That a public road be opened and laid out, the nearest and best way to Buford's bridge on Saltcather river, to Smart's meeting house on Coofaw-hatchie, and from thence to the Two Sister's ferry on Savannah river, and also that a public road be opened and laid out the nearest and best way from Smart's meeting house aforesaid, to the court house of Beaufort district, and that William Buford, Richard Creech, James Smart, John Chisholm and Elias Robert, be appointed commissioners for laying out the said road and keeping the same in repair.

A public road to be laid out from Sandy Bluff, on Little Peedee, &c.

And be it further enacted by the authority aforesaid, That a public road be opened and laid out the nearest and best way from the Sandy Bluff, on Little Peedee river, and from thence the most direct course to intersect a road leading from Little River in North Carolina, across

Waccamaw

Waccamaw river, and from thence to Richard Fowler's, living on the line which divides this state from that of North Carolina, and that Samuel Foxworth, William Hemmerway, John Rodgers, William Norton and Joseph Graham, be appointed commissioners for laying out the said road and keeping the same in repair, and all persons liable by law, living within five miles of the said road shall be obliged to work on the same: *Provided*, nothing herein contained; shall extend to oblige persons living below Aaron Menshaw's ford on the lake swamp, to cross the said swamp to work on the said road.

And be it further enacted by the authority aforesaid, That a ferry shall be and is hereby established on Black Mignon creek at the plantation of James Baxter, and that the same be vested in the said James Baxter, his heirs, executors, administrators and assigns, for the term of fourteen years, and that the said James Baxter, his heirs executors, administrators and assigns, during the said term shall be entitled to receive and take the following rates of ferriage and no other, that is to say; For every waggon and team or other four wheeled carriage with horses two shillings and four pence, for every chair or cart with one horse one shilling and two pence, for each head of black cattle, sheep, hogs or goats swam or ferried over one penny, for man and horse four pence, for each passenger on foot or led horse two pence.

A ferry to be established on Black Mignon creek, &c.

And be it further enacted by the authority aforesaid, That a ferry shall be and is hereby established on Little Peedee river at the plantation of Stephen Gibson, and that the same be vested in the said Stephen Gibson, his heirs, executors, administrators and assigns, for the term of fourteen years, and that the said Stephen Gibson, his heirs, executors, administrators and assigns, shall be entitled during the said term, to receive and take the following rates of ferriage and no other, that is to say; For every waggon and team or other four wheeled carriage with horses two shillings, for every chair or cart with one horse one shilling, for each head of black cattle, sheep, hogs or goats swam or ferried over a half-penny, for man and horse, two pence, for each passenger on foot or led horse one penny.

A ferry to be established on Little Peedee river, at the plantation of Stephen Gibson, &c.

And be it further enacted by the authority aforesaid, That it shall and may be lawful for George Mucinfuse to build and keep in repair two good and sufficient bridges, at the lower end of the Four Holes creek, one over the said creek and the other over a run passing through the causeway communicating with them both, and that the said bridges shall be vested in the said George Mucinfuse, his heirs, and assigns, for the term of twenty-one years, and that it shall and may be lawful for the said George Mucinfuse, his heirs, executors, administrators and assigns, to take and receive the following rates and tolls, and no other, that is to say, For a waggon and team or other four wheeled carriage with horses, one shilling and two-pence, for a chair or cart with one horse and driver, seven-pence; for a man and horse, two-pence; for each hoghead of tobacco rolled with horses and driver, seven-pence; for each foot passenger or led horse, one penny; for each head of black cattle, hogs, sheep or goats, passing over, one halfpenny.

George Mucinfuse empowered to build and keep in repair two bridges at the lower end of Four Holes, &c.

And

No person to erect a bridge within three miles of the one vested in James Jackson on Saluda river.

And be it further enacted by the authority aforesaid, That no person shall erect any bridge or keep any private ferry within three miles of the bridge now established on Edisto river, and vested by law in James Jackson, either above or below the said bridge on the said river.

A public ferry to be established on Great Peedee, at Cathua ferry, &c.

And be it enacted by the authority aforesaid, That a public ferry shall be, and hereby is established on Great Peedee, at a place called Cathua ferry, in Camden district, and that it shall and may be lawful for the proprietors of the lands on which the said ferry is hereby established, their heirs, executors, administrators or assigns, to take and receive the following rates, and no other, that is to say, For every foot passenger two pence, for every led horse two pence, for a man and horse four pence, for every waggon and team, or other four wheeled carriage with horses four shillings and eight pence, for a chair or cart with one horse one shilling and six pence, for every head of black cattle, hogs, sheep or goats ferried or swam over one penny,

A public ferry to be established across Saluda river, at the Island Ford, &c.

And be it further enacted by the authority aforesaid, That a public ferry shall be, and is hereby established across Saluda river, at the place called the Island Ford, near col. James Mayson's, and that the said ferry shall be vested in the said James Mayson and James Criswell, their heirs and assigns for the term of fourteen years, and that it shall and may be lawful for the said James Mayson and James Criswell respectively, and for their respective heirs, executors, administrators or assigns, to take and receive the following rate of ferriage and no other, that is to say, the said James Mayson to receive ferriage from all persons passing over from the west side of said river, and that the said James Criswell from all persons passing over the said ferry from the east side of said river, viz. For every foot passenger one penny, for every led horse two pence, for a man and horse four pence, for a waggon and team or other four wheeled carriage with horses two shillings and four pence, for a chair or cart with one horse one shilling and two pence, for a rolling hoghead of tobacco two horses and driver eight pence, for each head of black cattle, hogs, sheep or goats ferried or swam over one penny.

A public ferry to be established over Broad river, at the confluence of Broad and Pacolet rivers, &c.

And be it further enacted by the authority aforesaid, That a public ferry shall be and is hereby established on Broad river, at the confluence of Broad and Pacolet rivers in Pinckney district, and that the said ferry shall be vested in Thomas Woods and James Bankhead, their heirs and assigns for the term of fourteen years, and that it shall and may be lawful for the said Thomas Woods and James Bankhead, their heirs, executors, administrators or assigns, to take and receive the following rates of ferriage and no other, viz. For every foot passenger two pence, for every led horse two pence, and for every man and horse four pence, for a waggon and team or other four wheeled carriage and horses two shillings and four pence, for a chair or cart with one horse one shilling and six pence, for a rolling hoghead of tobacco eight pence, for each head of black cattle, hogs, sheep or goats ferried or swam over one penny.

And be it further enacted by the authority aforesaid, That it shall and may be lawful for William Shaw, Esquire, to build and keep in

in repair a good and sufficient bridge across Enoree river at the plantation of the said William Shaw in Ninety-six district, provided the said William Shaw is the proprietor or shall become the proprietor of the land on both sides the said river; and that the said bridge shall be vested in the said William Shaw, his heirs and assigns for the term of twenty one years, and that the said William Shaw, his executors, administrators or assigns, shall take and receive the following rates or tolls and no other, viz. For every foot passenger one penny, for every led horse two pence, for a man and horse four pence, for a waggon and team or other four wheeled carriage with horses one shilling and six pence, for every chair or cart with one horse seven pence, for every hoghead of tobacco rolled with horses and driver seven pence, for every head of black cattle, hogs, sheep or goats, one penny.

And be it enacted by the authority aforesaid, That a public road be laid out and kept in good repair, from John Compty's bridge on Broad river, the nearest and best way through Newberry county to Laurens county court house, and to be continued from thence a direct course to Washington court house in Washington district; and that the judges of the county courts through which said road may pass, shall at the first meeting thereafter, nominate, in their respective county courts, proper persons commissioners for the purpose of laying out and keeping said road in repair; and that John Hampton, Spencer Morgan and major John Adam Sommers, be commissioners for laying out said road from the said bridge to Newberry county line.

And be it enacted by the authority aforesaid, That a public road shall be laid out and kept in repair from the bridge on the lower Three Runs, in a direct course to cross the upper Three Runs at a place called Rous's Ford, and from thence in the nearest and best way to the Bluff at the old site of Fort Moore, and that John Green, Joseph Vinee, Blunt Fitch, James Jackson, Alexander Newman and Etheridge Clarey, be and they are hereby appointed commissioners to lay out and keep in repair the said road; and that all male inhabitants between the age of sixteen and fifty who reside within five miles of the same, shall be liable to work on the said road any term not exceeding twelve days in each year.

And whereas, The act for establishing a public ferry on a line between the plantation of Mainville and Thomas Simons on John's island, to cross Stono river at the causeway on old landing place between the plantations of Guerin and Simmons, in St. Andrew's parish, is defective in not compelling all persons who are to receive the immediate benefit thereof, to contribute or assist in forming and making the necessary roads, causeways and bridges leading thereto: *Be it therefore enacted by the authority aforesaid,* That it shall and may be lawful to and for the commissioners of the roads for St. John's, Wadmelaw, Keewaw and Simmon's island, or a majority of them, to require and compel all the inhabitants of the said island to assist in forming, making and completing the necessary roads, bridges and causeways leading to and from the said established ferry; and in case any person or persons inhabitants of any of the said islands shall neglect or refuse to comply with or obey the orders and summonses of the said commissioners, as far as respects the forming, making and completing

Wm. Shaw, Esq.
empowered to build
a bridge across Enoree river, &c.

A public road to
be laid out from
John Compty's
bridge, &c.

A public road to
be laid out from the
bridge on the lower
Three Runs, &c.

Preamble:

A majority of the
commissioners of the
roads for St. John's
island, &c. empowered
to compel the
inhabitants of said
island to assist in improving the roads,
&c.

pleating the said roads, bridges and causeways, they shall be subject to and are hereby declared to be subject and liable to all the fines, pains and penalties, and to be proceeded against by the said commissioners in the same way and manner as they are by the laws of the state directed to proceed against defaulters refusing or neglecting to work on the other public roads.

Ferry established on Congaree, vested in David M'Cord, for fourteen years.

And be it enacted by the authority aforesaid, That a ferry shall be and is hereby established on Congaree river, at the place called M'Cord's ferry; and that the same shall be vested in David M'Cord, his heirs and assigns for the term of fourteen years; and that it shall and may be lawful to and for the said David M'Cord, his executors, administrators or assigns, to take and receive the following rates of ferriage, and no other—that is to say, For every foot passenger twopence, for every led horse two pence, for every man and horse four pence, for a waggon and team or other four wheeled carriage with horses three shillings and six pence, for every chair or cart with one horse one shilling and six pence, for every rolling hoghead of tobacco eight pence, for every head of cattle, sheep, hogs or goats one penny; and that when the ferries are long the aforesaid rates of ferriage be respectively doubled.

Said M'Cord shall keep a bridge or flat over the Big Lake.

And be it enacted by the authority aforesaid, That the said David M'Cord shall always, during the said term of fourteen years, keep and maintain a good and sufficient bridge or flat over the big lake crossing the road leading from the south side of the said ferry through the swamp to the high land, which road shall also be kept in good repair at the expence of the said David M'Cord.

Commissioners of roads for Lexington county, &c.

And be it enacted by the authority aforesaid, That John James Haig, John Hampton, William Fitzpatrick, John Adam Sommers, John Threewits, Jacob Seibles, Godfrey Drehr, Jacob Fulmer, Spencer Morgan and Joseph Williams, be and are hereby appointed commissioners of the public roads for the county of Lexington, with full powers to appoint overseers for working on the roads and for calling out the inhabitants who are by law liable to work thereon, and that Joseph Culpepper, Alexander Blair and Archibald Jamison, be appointed commissioners to lay off and take effectual measures for opening a road from Granby to Patrick's old place, or Red House, by the best and most direct way, with full powers to carry the same into effect by calling on all the male inhabitants within ten miles of the said road, who shall be compelled to work thereon not exceeding twelve days in one year, under the usual penalties prescribed by law.

Vested with powers.

And be it enacted by the authority aforesaid, That the commissioners herein before mentioned, nominated and appointed, shall be, and are hereby vested with all the powers and authorities, and shall be subject to the same penalties as the commissioners of high roads in this state are by law vested with or liable to.

Duty of the keepers of ferries.

And be it further enacted by the authority aforesaid, That the several persons in whom the respective ferries herein before mentioned during the time for which their respective ferries are established, shall keep and maintain a good and sufficient boat with one or more

able

able bodied men, to attend the said respective ferries for transporting passengers, their servants, horses, carriages, cattle, sheep and hogs.

And be it further enacted by the authority aforesaid, That the president of the United States, his suit, and the governor and commander in chief of this state, for the time being, members of both branches of the legislature coming to attend and returning from the legislature, all ministers of the gospel and other persons going to attend and returning from divine service, all persons necessarily attending on patrol or militia duty, all persons in times of alarm on the part of the state in which such ferries are situated, all expresses to or from this government, their servants and horses, all jurors summoned to attend on any of the courts of this state, all witnesses bound over to give evidence on any prosecution, and their servants and horses, be, and they are hereby exempted from paying any ferriage, toll or duty for passing or repassing any of the ferries or bridges established by this act.

And be it enacted by the authority aforesaid, That the old road formerly laid out from the road leading to Slann's bridge to the Beach Hill road, between the lands of William Scott, Charles Causey Drake, and William Postell, is hereby declared and deemed to be a public road, and that the commissioners of the roads in St. George's parish, be, and they are hereby directed and required to open and keep in repair the said road, and that so much of an act, entitled "an act to alter and amend an act respecting the high roads and bridges, passed the twenty-second day of March, one thousand seven hundred and eighty-five, and for laying out several new roads and establishing sundry ferries therein mentioned, as relates to a public road from Coachman's Hill to the Beach Hill road, nearly opposite the Cane Acre road," be, and the same is hereby repealed.

And be it further enacted by the authority aforesaid, That if the water at any bridge or ferry should be so low as to enable persons with their horses or cattle to ford the same, the proprietors of the ferry or bridge shall not be allowed to take any toll from the person or persons so fording the same; and no old accustomed ford or the roads leading to or from such fords within this state shall be obstructed, and the commissioners of public roads and the several county courts throughout this state, are hereby required to keep the roads leading to or from such old accustomed fords, open and in good repair; provided nothing herein contained shall infringe or be construed to infringe the charter granted to any companies to promote the inland navigation of this state.

And be it enacted by the authority aforesaid, That the inhabitants who live nearer Lynche's Jeffery's and Black creeks than Peedee river are hereby made liable to work on and improve the navigation of said creeks respectively agreeable to an act of the general assembly passed the nineteenth day of February in the year of our Lord one thousand seven hundred and ninety one for the improvement of the navigation of said creeks and that John Porter, and Abel Goodwin be and are hereby appointed commissioners for improving the navigation of Jeffery's creek.

And

Persons exempted from paying ferriage.

An old road declared a public road.

Repealing clause.

Persons fording at any ferry, are not to pay toll.

Inhabitants who live near certain creeks to improve their navigation.

All the male inhabitants residing within two miles of Jeffery's creek, liable to work on said creek.

And be it further enacted by the authority aforesaid, That all the male inhabitants residing within two miles of Jeffery's creek, liable to do public work do and they are hereby made liable to improve the navigation of said creek from its confluence with Peedee as far up said creek as the Cheraw district line.

Preamble.

AND WHEREAS, it is expedient and necessary to continue the acts for the regulation of the militia of this state, until the legislature can arrange the militia agreeable to the act of the United States in Congress, ratified the day of May, one thousand seven hundred and ninety two,

Clause to continue in force certain acts respecting the regulation of the militia.

Be it enacted by the authority aforesaid, That the act of the general assembly, entitled "an act for the regulation of the militia of this state, passed the twenty sixth day of March one thousand seven hundred and eighty-four," and the act entitled, "An Act to amend and more effectually put in force for the time therein limited, the act entitled "An Act for the regulation of the militia of this state, passed the twenty-sixth day of March, one thousand seven hundred and eighty-four, ratified the twentieth day of December, one thousand seven hundred and ninety-one, be, and are hereby declared to be continued in full force and operation, until this state shall make permanent arrangement for the regulation of the militia, agreeable to the said act of the United States in Congress.

Indians, moors, mulattoes, &c. obliged serve in the militia.

And be it enacted by the authority aforesaid, That all free negroes and Indians, nations of Indians in amity with the state excepted, moors, mulattoes and multizoes, between the ages of eighteen and forty five, shall be obliged to serve in the said militia as pioneers in the several regimental beats in which they reside, and upon neglect or refusal to attend when summoned on duty, they and every of them shall be liable to like penalties and forfeitures as privates in the same regiment or company are made liable by law.

Preamble.

And whereas, the raising and equipping uniform companies of horse, artillery and infantry in the several regiments of militia of this state, may be greatly conducive to the public service and safety,

The commanding officer of any regiment may give leave to equip so many corps of horse, &c. as they may think adviseable.

Be it therefore enacted, That it shall and may be lawful for the colonel, lieutenant colonel or commanding officer of any regiment, to give leave to equip such and so many corps of horse, artillery and infantry as they may think adviseable, provided such horse and artillery do not exceed the ratio or proportion directed to be observed by the said act of Congress between the corps of horse and artillery, with respect to the number of rank and file in the regiment.

The officers and privates of uniformed corps, liable to the same fines and forfeitures of the companies, &c.

And be it enacted by the authority aforesaid, That the officers and privates in any company of artillery, infantry or cavalry, raised and uniformed in any militia regiment of this state by permission of his excellency the governor, or any colonel, lieutenant colonel, or commanding officer of any regiment, or to be hereafter raised, shall be respectively liable to all the fines and forfeitures imposed by law on the officers or privates in any regimental or company beat, and that when any person now actually enrolled or that shall hereafter be enrolled in any such company shall be desirous to quit the same, he shall

shall be obliged to give at least thirty days notice of such intention, and shall be obliged also to enroll himself in the company beat in which he resides, and produce a certificate thereof from the captain or officer commanding such beat, before he shall be permitted to leave the uniform company or corps to which he belonged, or be excused from duty therein.

And whereas, The safety of the city of Charleston requires the calling forth at certain times and seasons, one or more companies of the militia of the said city: *Be it therefore enacted,* That it shall and may be lawful for the governor or commander in chief, for the time being, or the commanding officer of the Charleston regiment, for the time being, to call forth when necessary, such and so many companies or detachments of companies, to mount guard in the said city as to them respectively shall appear necessary and proper: *Provided,* That no guard shall be obliged to continue on duty at any one except in case of actual alarm, more than twenty four hours on one guard, and all persons duly summoned to turn out on any such guard, who shall not obey or who shall leave his guard or otherwise misbehave, shall be liable to pay the same fines and forfeitures, as such persons would be obliged to pay for default of duty or misbehaviour, at any general or regimental muster by virtue of any law of this state.

In the Senate House, this twenty first day of December, in the year of our Lord one thousand seven hundred and ninety-two, and in the seventeenth year of the American Independence.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

An ACT for relieving and exempting John Wells from banishment.

WHEREAS John Wells by his humble petition to the legislature of this state, hath prayed to be relieved and exempted from the pains and penalties of the act of confiscation and banishment.

Be it therefore enacted by the honorable the senate and house of representatives now met and sitting in general assembly, and by the authority of the same, That the said John Wells shall be, and is hereby relieved and exempted from banishment, and is and shall be permitted to return to and remain in this state, any law to the contrary thereof in any wise notwithstanding.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, *President of the Senate.*

JACOB READ, *Speaker of the House of Representatives.*

N

AN

Preamble?

Companies or detachments of companies liable to mount guard, &c.

Provide,

Preamble?

John Wells exempted from banishment.

An ACT to exempt William Carson from the pains and penalties of the act of Confiscation and Banishment, so far as it relates to his Banishment.

Preamble.

WHEREAS, William Carson hath petitioned the legislature that he may be freed and exempted from the pains and penalties of the act of confiscation and banishment.

William Carson relieved from banishment.

Be it therefore enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, That the said William Carson shall be and is hereby relieved and exempted from banishment, and is and shall be permitted to return to and remain in this state, any law to the contrary thereof in any wise notwithstanding.

In the Senate House, the twenty-first day of December, in the year of our Lord, one thousand seven hundred and ninety-two, and in the seventeenth year of the independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.



Resolutions

RESOLUTIONS,

PASSED BY THE

LEGISLATURE OF SOUTH-CAROLINA,

AT THEIR

NOVEMBER AND DECEMBER SESSION, 1792.

*In the House of Representatives, November 29, 1792.**On motion, resolved,*

THAT it is the opinion of this house, that electors for president and vice president of the United States may be chosen from either branch of the legislature; and that the members who may be chosen will not by accepting the appointment, vacate their seats under the twenty-first section of the first article of the constitution of this state.

Ordered, That the resolution be sent to the senate for their concurrence.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, November 30, 1792:

Resolved, That this house do concur with the house of representatives in the foregoing resolution.

Ordered, That the resolutions be sent to the house of representatives.

By order of the Senate,

FELIX WARLEY, C. S.

*In the House of Representatives, December 1, 1792.**Resolved,*

That Robert Thornly, Nathaniel M'Cants, Elias Ball, John Ball, Thomas Waring (of Pine Hill) and William Wragg, Esquires, or any three of them, be and they are hereby appointed commissioners to run the dividing lines between the parishes of St. James, Goose Creek, St. George, Dorchester and St. John; Berkley—and to report thereon to the legislature at their next meeting and fitting.

Ordered, that the resolution be sent to the senate for their concurrence.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 4, 1792.

Resolved, That this house do concur with the house of representatives in the foregoing resolution.

Ordered, That the resolutions be sent to the house of representatives.

By order of the Senate,

FELIX WARLEY, C. S.

In

In the House of Representatives, December 4, 1792.

Resolved, That no person shall be deemed elected as an elector of a president and vice-president of the United States, unless he has a majority of the voters present.

Ordered, That the resolution be sent to the Senate for their concurrence.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 4, 1792.

Resolved, That this house do concur with the house of representatives in the foregoing resolution.

Ordered, That the resolutions be sent to the house of representatives.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 4, 1792.

The committee to whom was referred the petition of James Hartley,

Report, That they have investigated the allegations contained in said petition, and have ascertained the following facts:

First—That Robert Williams the elder, deceased, by his last will and testament, devised the residue and surplus of his estate, consisting of several tracts of land, situated in Beaufort district, to be sold and the monies divided in certain shares or proportions to his several grand children and great-grand children, of whom the petitioner was one.

Secondly—That the said Robert Williams the elder, died seized and possessed of a tract of 1480 acres of land in Puryburgh township, which was divided by the commissioners of confiscation into four smaller tracts, and sold as the property of Robert Williams, junior, to the following persons for the following sums, viz.

- | | | |
|--------|--------------------------------|----------------|
| No. 1. | 388 acres to David Villard, at | 55s. per acre. |
| 2. | 406 do. to James Rowe, at | 90s. |
| 3. | 362 do. to Glen Drayton, at | 50s. |
| 4. | 324 do. to John M'Nish, at | 60s. |

And that some of the purchasers have settled on the lands sold to them as aforesaid.

Thirdly—That the said Robert Williams the elder, died possessed of a certain other tract of land, containing 142 acres old measure, called Pigeon Point, which was sold by the said commissioners of confiscation as the property of Robert Williams, the younger, to one Da Costa, but the commissioners books being removed to Charleston, your committee are enabled to ascertain the amount of the purchase money—but believe that the same may have been paid, as the said Da Costa has since sold it to the late General Gift.

Fourthly—That the said Robert Williams, senior, deceased, died possessed of a certain other tract of land, containing about two hundred acres, which was sold by the commissioners of confiscation, as the property of Robert Williams the younger, to a person who relinquished his purchase to the honorable John Bull, who has since paid a small part of the consideration money, amounting to about £. 100 sterling into the treasury of this state.

Your

Your committee therefore recommend, that such of the bonds as remain unpaid in the treasury of this state, given on account of said purchases, be assigned over to the petitioner for the benefit of himself and others, interested under the will of the late Robert Williams the elder, deceased; and that the treasurers be directed to issue an indent to him for the balance that may have been paid, on account of said purchases, to bear interest from the day or days of said sales.

Resolved, That this house do agree to the report.

Ordered, That the report and resolution be sent to the senate for their concurrence.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 15, 1792.

Resolved, That this house do concur with the house of representatives in the foregoing report and resolution.

Ordered, That the report and resolution be sent to the house of representatives.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 5, 1792.

On motion resolved,

That on every future election for any public officer, by the legislature of this state, no vote shall be received after Mr. Speaker has begun to draw the ballots from the balloting box.

Ordered, That the resolution be sent to the senate for their concurrence.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 6, 1792.

Resolved, That this house do concur with the house of representatives in the foregoing resolution.

Ordered, That the resolution be sent to the house of representatives.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 5, 1792.

The committee on public accounts,

Report, That they have examined the following accounts, found them right, and recommend that the treasurers be directed to pay the same; viz.

James Bowles, deputy-sheriff of Camden

district—amount of his account allowed £. 4 2 4

Deduct James Barkley and James

M'Creight's account

included in the above

James Barkley's account

James M'Creight

Samuel Landrum

Arthur Simkins for provision furnished a guard at

Edgfield goal, August 9, 1792

O

1 18 8

1 0 8

1 3 0

0 11 0

17 3 10

Joseph

| | | | |
|---------------------------------------------------------------------------------------------------|--------------|----------|----------|
| Joseph Tucker Bell, his account for himself and 23 men, as a guard to the county goal of Edgfield | 76 | 16 | 0 |
| John, Floyd, constable for raising hue and cry against Theophilus Baxter, guarding prisoners, &c. | 6 | 10 | 6 |
| Joseph Goodman, deputy sheriff, his account for guarding, victualling, &c. sundry prisoners. | 9 | 8 | 0 |
| Joseph Goodman for serving a bench warrant of John Coals, guarding, &c. | 2 | 15 | 3 |
| Ditto for carrying a hue and cry against E. Elder | 3 | 4 | 9 |
| Shadrack Stoker for surveying and plats three tracts land | 2 | 15 | 0 |
| Timothy Goodman, constable, for raising hue and cry against James Jones, summoning guard, &c. | 8 | 4 | 4 |
| William Davis, goaler of Laurens county, for dieting sundry persons, guard service, &c. | 13 | 6 | 0 |
| Frederick Eison, goaler of Union county, victualling and guarding prisoners, &c. | 11 | 8 | 0 |
| Stephen Boineau, constable, for apprehending negroes, summoning freeholders, &c. | 3 | 5 | 9 |
| William Sturgis for surveying bounty lands | 0 | 18 | 4 |
| William Stewart surveying bounty lands | 5 | 9 | 6 |
| Alexander Love, jun. for carrying hue and cry against R. Smith | 4 | 8 | 8 |
| John Knox for himself and others employed by him to guard the goal of Pendleton county | 58 | 12 | 0 |
| Blake Mauldin, goaler of Pendleton county, for provisions found the prisoners and guard fees, &c. | 73 | 2 | 6 |
| | <u>£.302</u> | <u>1</u> | <u>0</u> |

Resolved, That this house do agree to the report.

Ordered, That the report and resolution be sent to the senate for their concurrence.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 8, 1792.

Resolved, That this house do concur with the house of representatives in the foregoing report and resolution.

Ordered, That the report and resolution be sent to the house of representatives.

By order of the House,

FELIX WARLEY, C. S.

In the Senate, December 7, 1792.

Resolved, That the commissioners of the treasury do postpone the sale of the lands advertised by them to be sold on the tenth instant, under a clause of the act, entitled "an act for establishing the mode of granting the lands now vacant in this state, and for allowing a commutation to be received for some lands that have been granted," until further directions be given them by the legislature.

Ordered, That the resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, C. S.

In

In the House of Representatives, December 8, 1792.

Resolved, That this house do agree to the above resolution.

Ordered, That the resolution be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 7, 1792.

Resolved, That Patrick Calhoun and William Anderson, Esquires, be appointed commissioners to run the division line between Edgefield and Abbeville counties, beginning at the lower corner of the great survey on Saluda river, then continuing along that line to the southern corner of the said survey, and from thence in a direct line to the mouth of little river, where it empties into Savannah river, and that they do make conspicuous and durable marks whereby the said line may always hereafter be known.

Ordered, That the resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 8, 1792.

Resolved, That this house do concur with the senate in the above resolution.

Ordered, That the resolution be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the House of Representatives, December 11, 1792.

The Committee on Public Accounts

Report, That they have examined the following accounts, and found them right, they therefore recommend that the treasurers be directed to pay the same, viz.

William Blair, constable, for apprehending negroes, summoning freeholders &c charged

Deduct over charge

£.0 11 0

0 4 11

£.0 6 1

Robert Spears, constable, hanging a negro and whipping another—charged

£.8 13 4

Deduct over charge

7 0 0

1 13 3

Stephen Boineau, constable, three accounts

for apprehending negroes, 15/6 25s. 30s.

3 10 6

Thomas Osborn, sheriff of Charleston district,

for maintenance of prisoners, fees and sum-

moning jurors to the 18th February last,

charged £.4 12 10 3 Deduct over-

charge, £.17 5 0 is

395 5 3

This account to be certified by the clerk of the court before payment.

John Conway Ladson, constable, for apprehending negroes, summoning justices and

freeholders

| | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----|----------|
| freeholders, charged | £.13 | 10 | 1 |
| Deduct, | 18 | 2 | |
| | | | 12 11 11 |
| Richard Graham, gunner of Fort Johnson for candles, | | 7 | 3 6 |
| Peter Fréneau, secretary of this state, his account to 28th September last, for fees, | | 62 | 13 10 |
| John Jacob Keyser, for summoning three jurors of inquest, charged | 3 | 3 | 0 |
| Deduct overcharge, | 1 | 13 | 0 |
| | | | 1 10 |
| Samuel Self, constable for apprehending robbers | 2 | 15 | 8 |
| Deduct overcharge, | | 6 | 0 |
| | | | 2 9 8 |
| John Palmer, constable, for summoning ju- rors of inquest | | 6 | 6 10 |
| Thomas Newman, for negro executed for felony | 80 | 0 | 0 |
| Deduct | 50 | 0 | 0 |
| | | | 30 0 0 |
| The estate of John Postell for a negro man executed for attempting to kill William Jones valued at | £80 | 0 | 0 |
| Deduct | 50 | 0 | 0 |
| | | | 30 0 0 |
| John Palmer, constable for summoning jurors charged | 0 | 6 | 4 |
| Deduct overcharged | 0 | 2 | 0 |
| | | | 0 4 4 |
| James Postell, sheriff of Beaufort district for maintenance of prisoners, repairs of court house, fees and summoning jurors for April and November court 1792, | 75 | 17 | 2 |
| Drury Thompson's account, for a negro executed for Burglary | | | 30 0 0 |
| William Wood, (constable) for apprehend- ing prisoners | 4 | 0 | 0 |
| Deduct expences and horse hire | 2 | 16 | 0 |
| | | | 1 4 0 |
| The committee think the charge of expen- ces and horse hire, high, but think he may reasonably be allowed | 1 | 10 | 0 |
| | | | 2 14 0 |
| James Ballantine, coroner for sundry in- quests to the 18th Sept. 1792, charged | 25 | 6 | 4 |
| Deduct overcharge | 0 | 9 | 4 |
| | | | 24 17 0 |
| Jacob Marjenhoff (constable) his account for summoning witnesses and jurors, in- flicting corporal punishment on a negro, and five days horse hire, charged, | 3 | 9 | 6 |
| For the above charge the law allows (ex- | | | |

clusive

clussive of horse hire) only

But as no charge for expences is made,
the committee think the charge of five
days horse hire, reasonable

1 7 10

0 10 0

1 17 10

Ditto for serving warrant, summoning mag-
istrate and freeholders, mileage &c. charged

2 10 2

Deduct over charge

1 0 2

1 10 0

Anthony Tcomer, for work done at the
treasury

3 13 6

Ditto for do. at the goal, to be certified by the
goaler before payment

2 0 2

Benjamin Franklin Timothy, for printing

7 7 1

Estate of Ann Timothy, for printing charged

£ 136 2 0

Deduct over charge

0 8 7

135 13 5

Thomas B. Bowen, printer,

4 8 6

Ditto ditto to the 5th of May, 1792

72 15 8

Thomas B. Bowen, & Co. for 1787 and
1788

5 3 0

Markland and M^rlver to 22d September
1792 for printing

64 6 8

Isaac Silliman, printer from May to Novem-
ber 26th 1792

69 0 0

Moses Glover, sheriff Georgetown district,
for repairs to the goal and court house,
confining and victualling prisoners and
summoning jurors from March 1791 to
September 1792

32 7 4

Daniel Daris, constable for apprehending
prisoners

1 19 6

Besides the above he has made a charge
of expences which the law does not allow,
but the committee think the charge rea-
sonable

0 15 0

2 14 6

James Eden, for expences attending the
trial of two negroes, maintenance of the
guard, &c. charged,

3 19 8

Deduct overcharge,

1 9 0

2 10 8

John Rose, clerk of the court of sessions for
Beaufort district, his account being for
fees of office, from the years 1783 to 1792.

44 18 1

James Carson, printer at Georgetown, his
account,

26 9 6

Robert Halls, sheriff of Orangeburgh dis-
trict, allowed for summoning jurors, for
eighteen months, at 15l. per annum.

22 10 0

On the petition of captain William Caldwell, it appears, that his
account was delivered in agreeably to law, but never was audited :
Your committee therefore recommend, that the treasurers be directed

to grant him an indent, for the sum of £.230 19 7 sterling, it being the additional pay allowed by the state to the continental pay; and that for the balance of his account, it being for three years continental pay, subsistence and commutation, your committee recommend, that he be referred to the congress of the United States.

The account of Hugh Milling, being for accounts passed at different times, from the year 1785, and on which payments have been made: Your committee recommend, that it be referred to the commissioners appointed for settling the accounts of former treasurers, and other public officers, that after their adjusting the same, the treasurers be authorized to pay the balance.

Nathan Childs & Company's account for printing, amounting to £ 202 0 6 being from 1783 to 1786, they recommend be also referred to said commissioners. N. B. It is suggested that this account has been paid by an order in favor of Mr. Bruce or Mr. Childs.

Resolved, That this house do agree to the report,

Ordered, That the report and resolution be sent to the senate for their concurrence.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 18, 1792.

Resolved, That this house do concur with the house of representatives in the foregoing report and resolution.

Ordered, That the report and resolutions be sent to the house of representatives.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 13, 1792.

The committee on a petition of general John Barnwell,

Report, That in the year 1775, he sold a tract of land to Dr. James Frazier, of Beaufort district, for a considerable sum of money, and that a considerable balance was due to him at the commencement of the late war. That the estate of Dr. Frazier having been confiscated, the said tract of land was sold by the commissioners of confiscated estates, for the sum of 1500l. sterling, which has been paid by the purchasers into the public treasury: that general Barnwell presented his account and the same has been audited, but no provision has been ever made for the payment thereof: The committee therefore recommend, that the sum of two thousand one hundred and thirty five pounds, three shillings and six pence old currency, being the balance due to general Barnwell, be allowed him as a discount in the settlement of a debt, due by him to the public, or so much thereof as he may be entitled to; reference being made to the amount of sales of said confiscated estate.

Resolved, That this house do agree to the report.

Ordered, That the report and resolution be sent to the senate for their concurrence.

By order of the House of Representatives,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 14, 1792.

Resolved, That this House do concur with the House of Representatives in the foregoing report and resolution.

Ordered,

Ordered, That the report and resolutions be sent to the House of Representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, c. s.

In the Senate, December 11, 1792.

The committee to whom was referred the petition Daniel Fridig, **Report,** That they have considered the allegations contained in the said petition, and find the same to be true: they therefore recommend, that the said Daniel Fridig have permission to receive in trust for the legal representatives of David Fridig, deceased, from the purchaser of the plantation mentioned in the said petition, or his representatives, the sum due for the said purchase, at the rate of one dollar specie for five dollars in Indents, agreeably to the act of the legislature, passed the 19th day of February 1791, except such part of the purchase money, subject to pay the amercement of David Fridig's estate, which is to be paid into the treasury.

Resolved, That this house do agree to the report.

Ordered, That the report and resolution be sent to the House of Representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, c. s.

In the House of Representatives, December 13, 1792.

Resolved, That this house do concur with the senate in the above report.

Ordered, That the report and resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 5, 1792.

The committee to whom was referred the petition of James Beard,

Report, That they have considered the prayer of the petition, and from the very peculiar situation and circumstances of the petitioner, recommend that he be put on a footing with persons wounded or disabled in defence of this state, and entitled in future to all the benefits of the resolution of the legislature, passed in their behalf on the 15th day of March 1786.

Resolved, That this house do agree to the report.

Ordered, That the report and resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, c. s.

In the House of Representatives, December 13, 1792.

Resolved, That this house do concur with the senate in the above report.

Ordered, That the report and resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 5, 1792.

The committee to whom was referred the petition of Rebeckah Barton,

Report and recommend, That the commissioners of the treasury be

be directed to issue indents to the petitioner, on account of the restored estate of her late husband, Edmund Ellis, agreeably to law, and that the resolution of the 14th February 1791, restraining the issue of indents, be repealed, so far as the same affects the estate of the said Edmund Ellis.

Resolved, That this house do agree to the report,

Ordered, That the report and resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, c. s.

In the House of Representatives, December 13, 1792.

Resolved, That this house do concur with the senate in the above report.

Ordered, That the report and resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, c. H. R.

In the Senate, December 11, 1792.

The committee to whom was referred the petition of Gabriel Smithers, praying a further compensation for building the goal in the town of Cambridge, in Ninety Six district.

Report, That they have examined into the facts set forth in the petition, also the vouchers in support of those facts, and are of opinion that the alligations of the petitioner are true, and recommend that in consideration of the petitioner having nearly compleated the work with such dispatch, that he will be able to deliver it up to the commissioners, ten months sooner than he by contract was bound to do, by reason whereof, there will be a considerable saving to the state by rendering guards at the county courts within the said district unnecessary for the ensuing year; and also in consideration of his having made several alterations attended with considerable additional expence at the instance of the commissioners appointed to superintend the said building, which by contract he was not bound to make, but which in the opinion of the commissioners were absolutely requisite. That the further sum of three hundred and thirty one pounds, eleven shillings and three pence sterling be allowed to the petitioner in order to indemnify him for his additional trouble and expence.

Resolved, That this house do agree to the report.

Ordered, That the report and resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, c. s.

In the House of Representatives, December 14, 1792.

Resolved, that this house do concur with the senate in the above report.

Ordered, that the report and resolutions, be sent to the senate.

By order of the House,

JOHN SANDFORD DART, c. H. R.

In the House of Representatives, December 15, 1792.

On motion, resolved, That brigadier general John Barnwell, William Hazzard Wigg and James Stuart be, and they are hereby nominated and appointed commissioners to sell and dispose of at public auction,

auktion, a certain parcel of bricks, the remains of the foundation of the court house in the town of Beaufort, on the public account, and to appropriate the proceeds of such sale, to repairs of the goal in the town of Beaufort, in such manner as may appear proper to them.

Ordered, That the resolution be sent to the senate for their concurrence.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 18, 1792.

Resolved, That this house do concur with the house of representatives in the above resolution.

Ordered, That the resolutions be sent to the house of representatives.

By order of the Senate,

FELIX WARLEY, C. S.

In the Senate, December 14, 1792.

Resolved, That in cases where any person or persons, is, or are indebted to the public, and the same person or persons, hath, or have any demands or debts which are properly liquidated and authenticated, the commissioners of the treasury are hereby directed, authorized and empowered, to stop by way of discount, so much thereof as may amount to the debt or debts of the public, against the said person or persons. And if the debt or debts due to the said person or persons, by the public, should either exceed or fall short of the debt or debts due by him or them to the public, then the treasurers are hereby directed, empowered and authorized to stop by way of discount accordingly, notwithstanding the debt or debts due from the public to such person or persons may have been approved by both branches of the legislature.

Ordered, That the resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 17, 1792.

Resolved, That this house do concur with the senate in the above resolution.

Ordered, That the resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the House of Representatives, December 17, 1792.

The committee to whom was referred the receipts and expenditures of the commissioners of the tobacco inspection in Charleston,

Report. That they have considered and examined the books of the said commissioners and find them to be just; and think the said commissioners have discharged the duties of their appointment with fidelity, and are of opinion that the commissioners of the several country inspections ought to be called upon by the treasurers to report annually the amount of all the monies received by them arising from the inspection of tobacco according to law. And that the same be lodged in the treasury at Columbia for the inspection of the legislature.

Resolved, that this house do agree to the report.

Q.

Ordered;

Ordered, that the report and resolution be sent to the senate for their concurrence.

By order of the house,

JOHN SAND ORD DART, C. H. *.

In the Senate, December 18, 1792.

Resolved, That this house do concur with the house of representatives in the foregoing report and resolution.

Ordered, That the report and resolutions be sent to the house of representatives.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 18, 1792.

The committee on public accounts,

Report, That they have examined the account of Joseph Goodman, for 322 days service, performed as a quarter master in the militia, which account it appears had been delivered to the auditor within the time prescribed by law, but not being properly vouched, was not passed; it also appears to your committee, that the vouchers are now in the office of the commissioners for settling the public accounts. They therefore recommend that the said commissioners be directed to audit the said claim, and if it appears that no indent has been granted, that they give him a certificate for the sum of £ 103 10 0 sterling, with interest from the 1st day of April, 1783, being for 322 days service, at 45s. old currency per day.

The account of the estate of Mathias Libecap, it appears was delivered into the auditor within the time prescribed by law; but his house having been burned by a party of tories, commanded by major William Cunningham, all his vouchers were consumed; but it appears to your committee, that he afterwards procured vouchers and delivered to Mr. Arthur, commissioner for receiving and auditing claims in Orangeburgh district, and by Mr. Arthur's books, that the said accounts had been passed to the amount of £.392 19 10— they therefore recommend, that an indent be granted to Robert Lithgow and Alexander Bell, executors of said estate, for the above sum of £ 392 19 10 with interest from the 1st April 1783, on their paying into the treasury, the balance of a bond, due to the state by the said Libecap, in specie.

Samuel Laird's account for waggon hire, appears to have been delivered within the time prescribed by law, but not being certified, was not passed. It is now certified by major Sibon, of the Little River regiment—your committee therefore recommend, that it be referred to the commissioners for settling public accounts; and if it appears, that no indent has been granted, that they give a certificate for the sum of £.46 17 1 1/2 sterling, with interest from the 1st April 1783.

On the petition of sundry persons, late soldiers in col. Horry's regiment of state troops, the committee recommend that the said petition be referred to the commissioners for settling the public accounts for examination, and if it appears to the commissioners, that the accounts were rendered in agreeable to the existing laws and resolution of this state, that the indents for their services have not al-

ready

ready been issued, that the same be granted agreeable to Col. Horry's pay bill, with interest from the 1st April 1783.

The petition of Robert Sorrell, is for payment of an account, which it appears was delivered in to the auditor within the time limited by law; they therefore recommend that it be referred to the commissioners for settling the public accounts, and if it appears that payment has not already been made, that an indent be granted for the same, amounting to £. 6 19 3 with interest from the 1st April 1783.

William Greenwood's petition, is for payment of a bond due from the late James Holmes, whose estate was confiscated; the committee recommend that this claim be referred to the commissioners for settling public accounts, and if it appears that it was delivered in agreeable to law (as set forth in the petition), that they audit the same, and pay or grant him a certificate for the whole or in average and proportion, if the estate is insolvent.

Doctor George Carter's petition, is for services performed during the war, which is not sworn to, and it appears that the commissioners for settling public accounts have rejected it, as no such account had been delivered within the time prescribed by law. But it also appears to your committee, by the certificate of the clerk to the late board of commissioners (Messrs Darrell, Lushington and Lightwood) that the said account had been in that office, but was not passed, but that it was returned to the auditor when that board was dissolved. — The committee are unacquainted with the reasons which induced the former commissioners to reject or neglect passing the account, they therefore recommend that the consideration of it be postponed till the next meeting of the legislature.

William Scott, junior's petition, being for claims on confiscated property, the committee recommend it be put on the same footing as the petition of William Greenwood, reported on the other side.

Resolved, That this house do agree to the report.

Ordered, That the report and resolution be sent to the senate for their concurrence.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 21, 1792.

Resolved, That this House do concur with the House of Representatives in the foregoing report and resolution.

Ordered, That the report and resolutions be sent to the House of Representatives.

By order of the Senate,

FELIX WARLEY, c. s.

In the House of Representatives, December 18, 1792.

The Committee on Public Accounts,

Report, That they have examined the following accounts, and recommend that provision be made for the payment of the same, viz.

John Wyld, commissioner of locations for Orangeburgh district, for recording bounty lands from 1784 to 1793, to be paid by the commissioners of the treasury; to the assignees of the said John Wyld, for the benefit of his creditors,

£. 30 6 8

David

| | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|---|
| David Potts, constable, for carrying hue and cry, | 3 | 4 | 0 |
| Robert Gillam, for holding an inquest on the body of Jacob Cappleman, jun. in March last, | 2 | 0 | 0 |
| William Gaston, for holding an inquest on the body of Thomas Brown, Chester county, with the constable's charge for summoning jurors, | 2 | 10 | 0 |
| Burr Harrifon, for holding an inquest on the body of Samuel Boyd, | 2 | 0 | 0 |
| Fleming Bates, for holding an inquest on the body of Grizel Brown, finding a coffin, summoning jurors, &c. | 3 | 7 | 0 |
| Richard Lloyd Champion, for one years salary as clerk of the adjournment court at Columbia, to be paid on being legally proved and certified, | 20 | 0 | 0 |
| John Winn, commissioner of locations for Camden district, for bounty warrants and plats, to December 4, 1792, to be paid on being legally proved and certified, | 5 | 14 | 4 |
| George Selmon, for surveying bounty lands; to be paid on being legally proved and certified, | 0 | 18 | 4 |
| Andrew M'Dowell, for surveying ditto, | 3 | 16 | 9 |
| Peter Freneau, for fees of office at Columbia, to the 25th September, 1792, | 33 | 13 | 7 |
| Fielding Woddroff, for a negro executed, to be paid on being certified and approved according to law, | 30 | 0 | 0 |
| | 137 | 10 | 8 |

Resolved, That this house do agree to the report, and that the beforementioned accounts are made payable only on the conditions severally annexed to them.

Ordered, That the report and resolution be sent to the senate for their concurrence.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 21, 1792.

Resolved, That this house do concur with the house of representatives in the foregoing report and resolution.

Ordered, That the report and resolutions be sent to the house of representatives.

By order of the Senate,

FELIX WARLEY, C. S.

In the Senate, December 18, 1792.

The Committee to whom was referred the petition of Samuel Watson,

Report, That they have considered the same, and recommend that the commissioners of the treasury be directed to deliver the indent belonging to William Watson, to the petitioner, on his producing proper vouchers that he is the administrator of William Watson, deceased.

Resolved, That this house do agree to the report,

Ordered, That the report and resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, C. S.

It

In the House of Representatives, December 18, 1792.

Resolved, That this house do concur with the senate in the above report and resolution.

Ordered, That the resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the House of Representatives, December 19, 1792.

Whereas, experience has evinced that the public business has been greatly retarded, and much injury has accrued to the citizens of this state, from their delaying to present their demands against the public, and their petitions to the legislature in due time.

Therefore *Resolved*, That no provision be made in the next tax bill, for any demand which shall not be delivered into the treasurers, sworn to and properly certified, on or before the thirty first day of October next.

Resolved also, That no private petition be received after the 12th day of December next, to be considered in that session.

Ordered, That the foregoing resolution be published in one of the *Gazettes* of the city of Charleston, in the *Columbia* and *Georgetown* gazettes, once in every three weeks for three months.

Ordered, that the resolutions, be sent to the senate for their concurrence.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 20, 1792.

Resolved, That this house do concur with the house of representatives in the foregoing resolutions.

Ordered, That the resolutions, be sent to the house of representatives.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 19, 1792.

WHEREAS Thomas Bacon, by his humble petition to the legislature, hath set forth, that in the year of our Lord one thousand seven hundred and eighty seven, he purchased a considerable tract of land of Benjamin Tutt, Esq. deceased, situate in Edgefield county, which land was represented to the said Thomas Bacon, to be free from all incumbrances whatsoever: *And whereas*, it appears that three small tracts of land which are included in his purchase of the said Benjamin Tutt, together with some other tracts not claimed by the said Thomas, were mortgaged by William Dawson, James Tutt and Thomas Freeman, for the purpose of obtaining a loan of part of the paper medium, for and on account of the said Benjamin Tutt: *And whereas*, it appears that the said land has been sold under the said mortgage: *And whereas*, it is reasonable and just to give relief in the premises:

Resolved, That the honorable Arthur Simkins, William Anderson, Esq. and Abner Perrin, be and they are hereby authorized and required to value the said land claimed by the said Thomas Bacon, at cash price and also, on a credit of one, two and three years, and report the same to the legislature, at the next meeting of the same.

R

Also

Also Resolved, That no sale of the said land, by the treasurers, take place, till after the next meeting of the legislature.

Ordered, That the resolutions be sent to the senate for their concurrence.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 20, 1792.

Resolved, That this house do concur with the house of representatives in the foregoing resolutions.

Ordered, That the resolutions be sent to the House of Representatives,

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 20, 1792.

The Committee on Public Accounts,

Report, That they have examined the following accounts, and recommend that provision be made for the same, viz.

Edward Lacey, sheriff of Pinckney district, for building a shade to hold the court in, fixing a jury box, victualling and guarding prisoners, and fees of office, charged, £.22 15 4

Deduct the six last charges, being fees,

Overcharged on the pay of six men as a guard, the law allowing only 1s. 6d. per day, for 7 days is £.3 3s the difference between this sum and 7.5 14 4 charged, is

2 11 4

4 11 4
18 4 0

The charge of £.5 8s. for constables' attendance, is also unprovided for by law, but as it was done under a promise from the judges, that provision would be made for it—the committee recommend the consideration of it to the house, allowed,

5 8 0

23 12 0

Andrew Love, for himself and 4 men guarding Robert Smith, and taking him to Pinckney court for trial,

3 13 0

Edward Lacey, for maintenance and guarding prisoners with fees of office, November term, charged,

9 16 0

Deduct the fees,

0 4 0

9 12 0

Allen Glover, constable, for conveying prisoners to Edgfield court; with three men as a guard,

Charged,

5 14 4

Deduct overcharge,

3 10 2

2 4 2

Daniel Constable, his account for printing, to 13th December, 1792.

56 14 8

Jesse Rogers, constable, his account for apprehending

and

and conveying prisoners to jail, charged, £. 3 2 11 de-
duct every charge but mileage and dieting three men,
leaves.

Thomas Cordes, jun. for a negro executed for bur-
glary and felony,

Estate of Thomas Broughton, for do. do.

William Gunn, jailer of Greenville county, for main-
tenance of prisoners, committing and releasing ditto,
charged,

Deduct the charge for committing and relea-
sing,

John Bayne and James Bayne, for guarding Greenville
gaol,

Deduct overcharge,

John Rogers and Abner Howell, for guarding Green-
ville gaol,

Deduct overcharge,

Jacob Rickenbaker, gaoler of Orangeburgh district,
for maintaining of prisoners, committing and releasing
ditto, to 14th August, 1792, charged

Deduct the charges for committing and re-
leasing,

Julius Nichols, jun: clerk of the court of sessions,
Ninety-six district, for trial of prisoners, &c. to April,
1792; this account is unprovided for by law, it being pay-
able out of fines and forfeitures.

Samuel Mayes, sheriff of Edgefield county, for main-
tenance of prisoners, turning the key, &c.

Charged,

Deduct Overcharge,

Add short charge,

John Allum, for making a large table, fixing a jury
box, and building a place to confine prisoners, and vic-
tualling guard and prisoners,

Charged,

Deduct the charge for victualling guard
and prisoners, the same not being certified,

John Patrick, constable; for serving state warrants,
summoning witnesses and mileage, charged £. 5 8s. de-
duct every charge but mileage, 30 miles at 3d, is

Edmund Ellis, for removing prisoners, furnishing a
guard, and serving warrants, charged

Deduct overcharge,

2 0 0

30 0 0

30 0 0

5 14 4

0 9 4

5 5 0

7 10 0

3 0 0

4 10 0

17 5 0

6 18 0

10 7 0

50 18 0

8 10 0

48 8 0

60 9 0

8 4 0

1 15 0

6 9 0

53 18 0

13 7 6

6 7 6

7 0 0

7 6

6 18 4

3 2 4

3 16 0

Thomas

Thomas Brown, for summoning a jury of inquest, 0 10 0
 George Morris, constable, for conveying prisoners to
 Camden, 1 12 3
 Deduct overcharge, 0 10 0

John Gowen, sheriff of Spartanburgh county, for
 maintenance of prisoners, removing and guarding ditto,
 Charged, 47 11 6
 Deduct overcharge, 24 12 4

Mumford Pennyman, constable, for taking the body
 of Thomas Carlson, summoning witnesses, dieting guard
 and prisoners, and mileage, charged, 1 11 0
 Deduct, 0 6 6

Thomas Farrar, sheriff of Washington district, for sum-
 moning jurors, finding a jury box, bringing prisoners up
 for trial, and making out a jury list,
 Charged, 26 5 6
 Deducted overcharge, 10 10 6

Wade Hampton, sheriff of Camden district, for sum-
 moning jurors, guarding prisoners, repairs to the jail,
 and sundry jailors accounts for victualling prisoners,
 Charged, 219 17 4
 Deduct overcharge on sundry accounts, 26 0 6
 193 16 10

Add, omitted in W. Allenby's account,

Charged, 7 12 8
 Deduct overcharge, 3 14 0

3 18 8

Doctor George Logan's two accounts for attend-
 ing sick and wounded criminals and debtors in the jail,
 from 1st January 1791, to 1st January 1792, £.50 0 0
 And from 1st Jan. 1792, to 30th Sept. 1792, 37 10 0

Resolved, That this house do agree to the report,
Ordered, that the report and resolution be sent to the senate for
 their concurrence.

By order of the house,

JOHN SANDFORD DART, c. h. w.

In the Senate, December 21, 1792.

Resolved, That this House do concur with the House of Represen-
 tatives in the foregoing report and resolution.

Ordered, That the report and resolutions be sent to the House of Re-
 presentatives.

By order of the Senate,

FELIX WARLEY, c. s.

In

In the Senate, December 19, 1792.

The committee appointed to join a committee of the house of representatives, to take into consideration the message of his excellency the Governor, inclosing a letter from his excellency Governor Martin of North Carolina, and a copy of an act of the legislature of that state, entitled, "an act for appointing commissioners to extend the boundary line between that state and the state of South Carolina." Report,

That they have duly considered the same, and find, that previously to the revolution, at a time when North and South Carolina acknowledged the sovereignty of the British government, a line was run under the royal authority, by commissioners duly appointed, and the boundaries between the two provinces clearly ascertained and fixed; that from that period until the present time, this country has exercised constant and uninterrupted jurisdiction over such of the inhabitants as have resided within the lines which were then acknowledged to be the lines of South Carolina: That since the revolution, and, at a time when the citizens of North Carolina were sitting in convention, for the purpose of forming a constitution, they passed a bill of rights, by the 25th section of which, they declared that the southern boundary of their state, should be ascertained in the following manner, that is to say: Beginning on the sea side, at a cedar stake, at or near the mouth of Little river, being the southern extremity of Brunswick county, and running from thence a north west course, through the boundary house which stands in 33 degrees 56 minutes, to 35 degrees north latitude, and from thence a west course as far as is mentioned in the charter of King Charles the 11d. to the late proprietors of Carolina. Your committee find, that by an act of the legislature of this state, passed on the 22d day of March, 1786, certain commissioners, with ample powers, were appointed on the part of the state, to meet such commissioners as might be appointed on the part of the state of North Carolina, with similar powers, to ascertain the boundaries of the two states; that in consequence of such act, due notice was given by the executive authority of this state, to that of North Carolina, which measure appears to have given rise to the act of assembly of North Carolina, which has been referred to your committee for consideration; your committee further find, that by that act, although commissioners are nominated to fix and establish a permanent boundary between the two states, yet, they are thereby expressly restrained from violating or infringing the 25th section of the aforesaid declaration of rights: Your committee are therefore of opinion, that it would be necessary to appoint commissioners on the part of this state, to meet commissioners on the part of North Carolina, inasmuch as all discussion of rights is expressly prohibited by the authority under which the last mentioned commissioners are appointed, and to appoint commissioners on the part of this state, to meet the commissioners of North Carolina, under the act of that state, would be little less than a tacit acknowledgement of the justice of the claim of North Carolina, and might end in a surrender of a considerable and valuable part of the territory of this country. Your committee therefore are of opinion, that his excellency the governor should be requested to communicate the determination of the legislature, not to permit commissioners of this state to meet the commissioners of North Carolina, until they can meet them on more equal ground. But, as they ardently wish that all differ-

ences between this state and her sister state, should be adjusted in the most amicable manner, they will appoint commissioners to settle every dispute respecting territory, so soon as the state of North-Carolina, shall appoint commissioners, with full power to discuss and settle the claims of each state.

Resolved, That this house do agree to the report.

Ordered, That the report and resolutions be sent to the house of representatives.

By order of the Senate,

FELIX WARLEY, c. s.

In the House of Representatives, December 20, 1792.

Resolved, That this house do concur with the senate in the within report.

Ordered, That the report and resolution be sent to the senate.

By order of the House,

JOHN SANDFORD DART, c. H. R.

In the Senate, December 19, 1792.

The joint committee of both houses to whom was referred the message of his excellency the governor, of the fourteenth instant, respecting the defence of the frontier, Report,

That in their opinion it is adviseable to direct a magazine and arsenal to be built near Abbeville court house, in the district of Ninety Six; and that the same be provided with a sufficient quantity of arms and ammunition, to be distributed among the citizens, at such time and manner, as to the governor and commander in chief, shall seem expedient: That the arsenal be built of wood, sufficient to contain arms for five thousand men, and a magazine of brick or stone, sufficient to contain at least five thousand weight of powder, and that Richard Andrews Rapley, John Bowie, and Samuel Watt, Esquires, be commissioners for contracting for, and superintending the building of the said magazine and arsenal: That a magazine and arsenal store keeper, with a salary of thirty pounds per annum, be appointed by the governor. That horsemen's swords, pistols, and accoutrements for two hundred men, be immediately provided at the public expence and sent up to Abbeville, together with the arms lately procured by his excellency the governor. That the posts on the frontier be continued so long as his excellency the governor shall judge it necessary for the security of that part of the country: That the legislature shall at the next session, provide for the expences to be incurred in consequence of the foregoing resolution.

The committee further report, That it would be advisable to request his excellency the governor to transmit to the President of the United States, the affidavit of Benjamin Cleaveland, Esquire, respecting the murder of several Indian chiefs.

Resolved, That this house do agree to the report,

Ordered, That the report and resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 20, 1792.

Resolved, that this house do concur with the senate in above the report.

Ordered,

Ordered, That the report and resolutions be sent to the senate.

By order of the House;

JOHN SANDFORD DART, C. H. R.

In the Senate, December 20, 1792.

Resolved, That the commissioners of the treasury be authorised to receive six shillings from every person who neglected to take out his grant for land; within the time limited by law, on his paying for the said land in full, for the expences attending, the advertising the said land, and the certificates thereof, and that they keep an account of all monies received for such expences, and lay the same before the legislature at their next meeting.

Ordered, That the resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 20, 1792.

Resolved, That this house do concur with the senate in the above resolution.

Ordered, That the resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 20, 1792.

The committee to whom was referred the petition of Hugh Knox,

Report, That the sum of fifty pounds sterling, be allowed and paid to the said Hugh Knox in full compensation, for a negro purchased by him, which negro your committee find by the examination of credible witnesses, was captured and sold by colonel Edward Lacey, and the proceeds of the sale divided among the troops who made the capture, and was then under the command and orders of general Sumter, and which said negro has been lately adjudged by a court and jury, not to be the property of the said Hugh Knox, in consequence of such sale, and that provision be made for the same in the tax bill of the year 1793.

Resolved, That this house do agree to the report,

Ordered, That the report and resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 20, 1792.

Resolved, That this house do concur with the senate in the above report.

Ordered, That the report and resolution be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 15, 1792.

The committee to whom was referred the Petition of sundry inhabitants of Winton county, stating, that several persons had drawn monies out of the treasury for annuities, without proper authority, and recommend the adoption of the following resolution, viz.

Resolved, that Joseph Vince, William Vince, Joseph Harley, Walter Robinson, and Ephraim Pucket be appointed commissioners in Winton county, to investigate the claims of all such persons as are Suspected

suspected of having drawn annuities unjustly, and that they be directed to report to the commissioners of the treasury, as soon as they shall be able to make a full enquiry into the same: That all payments for annuities, due to persons in Winton county, be suspended until such report shall be made, and that the aforesaid commissioners report the names of such magistrates as have acted improperly therein, to the legislature at their next meeting.

Ordered, That the resolutions be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, c. s.

In the House of Representatives, December 21, 1792.

Resolved, That this house do concur with the senate in the above resolve.

Ordered, That the resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the House of Representatives, December 21, 1792.

Resolved, That the several persons undermentioned, be, and they are hereby appointed and elected county judges, justices of the quorum, and justices of the peace, for the several districts and counties herein mentioned, in addition to those already appointed, viz.

Charleston District—of the Quorum.—Peter Bounetheau, Timothy Ford, Alexander Edwards, Peter Youngblood, O'Brien Smith, Arthur Hughes, George Bellinger, Robert G. Harper. *Of the Peace*—John Todd, late merchant, Hugh Wilson, Gracia Rivers, O'Neal G. Stevens, Christian Senf, James Boone, Theodore S. Marion, William Graham, James Butler, Peter Ward, Morton Waring, Elisha Hall, Joseph Perry, Thomas Gordon, Andrew Norris, James Hamilton, jun. Daniel Ravenel, Alexander Petrie, Anthony Toomer, William Brisbane.

Beaufort District—of the Quorum.—John A. Cuthbert, James Maine. *Of the Peace.*—James E. M'Pherson, Dr. John Mitchell, George Taylor, jun. Thomas G. Scott, James Postell, jun.

Georgetown District—of the Quorum—Charles Brown, John Keith, John Baxter. *Of the Peace*—John Servis, Samuel Foxworth, William Norton, Robert Ervine, vice Robert Wheritspoon, resigned, Peter Robert, Maurice Simons, Robert M'Farlane, William J. Cooper, James Crawford, Valentine Rowell.

Orangeburgh District—Of the Quorum.—Lewis Lesterjette. *Of the Peace*—Robert Stark, Benjamin Inman, Ridguel Williams, John M'Elhenny, Richard Blealock, Peter Felder, John Comptey, Thomas Rall, Nathaniel Lawrence, Charles Brown.

County Justices of the Peace, Edgfield.—Thomas Bacon, county judge—*Of the Peace.*—James Harrison, John Clark.

Newbury—Levi Casey, county judge, vice George Ruff, resigned *Of the Peace*—John Speak.

Union—Thomas Brandon, county judge, vice William Farr, resigned. *Of the Peace*—Andrew Tarrant, vice Joseph M'Junkins, Benjamin Woodson, vice Samuel Otterfon—Joseph Coleman, vice Bird Beauford.

Greenville—John Ford, county judge, vice James Harrison, resigned. *Of the Peace*—Reuben Barret, vice Henry Prince—Joseph Dunklin,

klin, vice James Blasingham.

Richland—Of the Peace.—John Hiron—vice Thomas Hutchinson;
Green Rives—vice Hicks Chappel.

Clarmont. Of the Peace—John M'Nair—vice George Cooper, now
in Salem county: Richard Singleton—vice David Rees, now in Salem
county: John M'Daniel—vice William Bracey, resigned: Reuben
Long—vice William Mayrant.

Clarendon.—John Frierfon, county judge, vice Isaac Connor.—*Of
the Peace*—Edward Richardson, vice John Frierfon.

Salem—County Judges—John Gamble, Roger Wilson, John
Withe Spoon, jun.—*Justices of the Peace*—George Cooper, David
Rees, James Dickey, John Singleton, Addison Scarborough, Tho-
mas Chandler.

York—Of the Peace.—Nathaniel Irvine, vice David Leech.

Lancaster.—*Of the Peace.*—James M'Donald—vice Robert Mont-
gomery: Henry Massey, vice Robert Crawford.

Kershaw.—*County Judges.*—Burrill Boykin—vice Samuel Boykin,
Isaac Dubose—vice Adam Fowler Brisbane—*Justices of the Peace.*—
Isaac Alexander—vice Duncan M'Ra: William Kirkland—vice
Robert Lee: Thomas Gardner—vice James Kershaw: John Boykin
—vice Douglas Starke.

Marlborough.—*Justice of the Peace.*—Benjamin Hicks—vice William
Legget.

Darlington—Of the Peace.—Michael Mixon—vice Evander M'iver.

Chelste field.—Allan Chapman—vice Charles Evans: James Blake-
ney—vice David Perkins: Richard Bettis—vice William Powe.

Ordered, That the resolution be sent to the senate for their con-
currence.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 21, 1792.

Resolved, That this house do concur with the house of representa-
tives in the foregoing resolutions.

Ordered, That the resolutions, be sent to the house of repre-
sentatives.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 21, 1792.

Resolved, That Samuel Wright, and James Harrison, be, and
they are hereby appointed commissioners for ascertaining the line be-
tween the counties of Laurens and Greenville, and that they do
make a report thereof at the next meeting of the legislature.

Ordered, that the resolution, be sent to the senate for their
concurrence.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 21, 1792.

Resolved, That this house do concur with the house of representa-
tives in the foregoing resolution.

Ordered, That the resolutions be sent to the House of Representa-
tives,

By order of the Senate,

FELIX WARLEY, C. S.

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In the House of Representatives, December 21, 1792.

Resolved, That the persons hereafter named, to wit: Alexander Bell, William Fitzpatrick, Jacob Seibels, Timothy Rives, and Sterling Williamson, be and they are hereby appointed commissioners of the tobacco inspections of Granby and Fridig's Ferry, and that they be vested with the same powers and authorities as have heretofore been used, exercised and enjoyed by their predecessors in office.

Ordered, That the resolution be sent to the senate for their concurrence.

By order of the house,

JOHN SANDFORD DART, C. H. P.

In the Senate, December 21, 1792.

Resolved, That this House do concur with the House of Representatives in the foregoing resolution.

Ordered, That the resolutions be sent to the house of Representatives.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 21, 1792.

Resolved, That the undermentioned persons be, and they are hereby appointed collectors of the public taxes, viz:

Stephen Lee, for Charleston, vice Thomas Wright Bacot: Orange county, David Rumph: Winton county, Joseph Harley: Williamburgh county, James Gordon: Fairfield county, Ephraim Lyles: Edgefield county, Samuel Mays: St. Bartholomew, Daniel Doyley, vice Peter Youngblood: St. Peter, Peter Porcher: Saint John Colleton, Robert Brisbane: Richland, William Myers. Salem, John Cassells.

Ordered, That the resolution be sent to the senate for their concurrence.

By order of the house.

JOHN SANDFORD DART, C. H. R.

In the Senate, December 21, 1792.

Resolved, That this house do concur with the house of representatives in the foregoing resolution.

Ordered, That the resolutions be sent to the house of representatives.

By order of the Senate,

FELIX WARLEY, C. S.

In the Senate, December 21, 1792.

Resolved, That the commissioners of the treasury, forthwith, pay over to the agent for foreign creditors, all public monies that may come to their hands not otherwise appropriated, or that may remain after paying all specie arrears now due, together with the expences of the current year.

Ordered, That the resolution be sent to the house of representatives for their concurrence.

By order of the senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 21, 1792.

Resolved, That this house do concur with the senate in the above resolve.

Ordered, That the resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In

In the Senate, December 20, 1792.

Resolved, That the different tax collectors throughout this state, and the commissioner of the treasury, be and they are hereby authorized to receive the public certificates, which have been or may be issued at different times, to the members of the legislature for the present year, in payment of the taxes due, and payable for the year 1792, or for the arrearages of taxes heretofore imposed by acts of the legislature.

Ordered, That the resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 21, 1792.

Resolved, That this house do agree with the senate in the above resolution.

Ordered, That the resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 21, 1792.

Resolved, That in the opinion of the legislature of this state, the citizens of the Union have a right to be present at the debates of their representatives, whilst employed in the business of legislation, and that the senators of this state in congress, be requested to express the opinion of this legislature, that the doors of the senate of the United States should be opened to the citizens during the debates on such legislative questions, as in their opinion, the public safety may not require to be kept secret.

Ordered, That the resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 21, 1792.

Resolved unanimously, That this house do concur with the senate in the above resolve.

Ordered, That the resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 20, 1792.

Whereas, the commissioners on public accounts have reported, That they cannot proceed to the investigation of the treasury accounts respecting special indents without knowing the outstanding amount thereof in circulation;

Therefore resolved, That all holders of special indents be directed and required on or before the first day of September next, to deliver to one or other of the commissioners of the treasury, the special indents in their possession, who are to give receipts for the same, and to report to the commissioners on public accounts, on or before the tenth of September next, the amount by them respectively received, and also to the legislature at their next meeting.

Resolved, That public notice of this resolution be given in the Charleston, Columbia, and Georgetown, Gazettes once every three weeks, till the first day of September next.

Ordered,

Ordered, That the resolutions be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 20, 1792.

Resolved, That this house do concur with the senate in the within resolves.

Ordered, That the resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 21, 1792.

The Committee to whom was referred the petition of the Intendant and Wardens of the city of Charleston, relative to the commissioners of the roads for the parishes of St. Philip and St. Michael,

Report, That in their opinion, the said commissioners should forth with account for the expenditures of the monies received by them, since the year 1785; to the commissioners on public accounts, and that the said commissioners of the roads for the said parishes, should account for the monies they may in future receive for repairing the roads, to the Intendant and Wardens of the city of Charleston, once in each year.

Resolved, That this house do agree to the report,

Ordered, That the report and resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 21, 1792.

Resolved, that this house do concur with the senate in the above report.

Ordered, That the report and resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 19, 1792.

The committee to whom was referred the petition of James Rabb,

Report, That they have considered the same, and are of opinion, that the allegations set forth in the said petition are true: Your committee therefore recommend, that the law authorising the commissioners of the treasury to issue indents, be extended so far as to empower them to issue indents to the petitioner, when proper vouchers are produced by him.

Resolved, That this house do agree to the report,

Ordered, That the report and resolution be sent to the house of representatives for their concurrence.

By order the senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 21, 1792.

Resolved, That this house do concur with the senate in the above report.

Ordered, That the report and resolutions, be sent to the senate.

By order of the house,

JOHN SANDFORD DART, C. H. R.

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In the Senate, December 19, 1792.

The committee to whom was referred the petition of Samuel Hunter,

Report, That they have considered the same and examined Captain Mills, who testified that the account was given in to the proper officer, within the time limited by law, they also find that the allegations set forth in the petition are true, they therefore recommend, that provision be made for paying to the petitioner the sum due to him by the public; if the commissioners on public accounts, on inspecting General Sumpter's and Colonel Richardson's accounts, find that he hath not already received compensation.

Resolved, That this house do agree to the report.

Ordered, That the report and resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, c. s.

In the House of Representatives, December 21, 1792.

Resolved, That this house do concur with the senate in the above report.

Ordered, That the report and resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, c. h. r.

In the Senate, December 14, 1792.

The committee to whom was recommitted the petition of Sarah Armstrong;

Report, That they have maturely reconsidered the said petition, and recommend that the house adopt the following resolution, viz

Resolved, That the commissioners of the treasury pay out of any unappropriated monies, unto Sarah Armstrong, or her legal representative, whatever sum or sums of money, she the said Sarah Armstrong has been obliged to pay in consequence of her late husband's suretyship in favor of Samuel M'Kay, whose property was taken during the late war, by General Sumter, and converted to the use of the state—provided that the said Sarah Armstrong shall produce to the commissioners of the treasury, sufficient proofs that the property of Samuel M'Kay was taken by order of General Sumpter and converted to the use of the state, and that in consequence thereof, her late husband as surety for the said Samuel M'Kay, was compelled to pay the debt due by him as aforesaid.

Resolved, That this house do agree to the report.

Ordered, That the report and resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, c. s.

In the House of Representatives, December 21, 1792.

Resolved, That this house do concur with the senate in the above report.

Ordered, That the report and resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, c. h. r.

In the Senate, December 15, 1792.

The committee to whom was referred the petition of Timothy Rives;

Report, That your committee have considered the allegations set

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forth

forth in the petition; and recommend that the commissioners of the treasury be directed to send for such annuity orders, as have been assigned to the petitioner by persons who had no right to draw for the same, and on the receipt thereof to deliver them to the said Timothy Rives.

Resolved, That this house do agree to the report.

Ordered, That the report and resolution be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 21, 1792.

Resolved, That this House do concur with the senate in the above report,

Ordered, That the report and resolutions be sent to the senate.

By order of the house,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 18, 1792.

The committee to whom was referred the petition of John Moffett,

Report, That they have considered the allegations of the said petition and find the same to be true, they therefore recommend, that all further proceedings in the suit commenced by the commissioners of the treasury against the petitioner be staid, until he has obtained possession of the land bought by him of the public, by due course of law, and that the commissioners on public accounts after retaining the balance due by him to the public for the purchase of the land, do pay him the balance of the indents that may be due to him.

Resolved, That this house do agree to the report.

Ordered, That the report and resolutions be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 21, 1792.

Resolved, That this house do concur with the senate in the above report.

Ordered, That the report and resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

In the House of Representatives, December 18, 1792.

The committee to whom a report of the commissioners for settling the public accounts was referred, respecting that part of the report which relates to the auditor general, and commodore Gillon,

Report, That, that part of the commissioners report respecting the auditor not balancing his books, the committee have recurred to the resolution of the legislature, passed February 19, 1791, directing the auditor's books should be posted up completely to the 20th February aforesaid, and that he should be allowed a compensation for so doing of 180l. sterling: and the committee report thereupon, that by accepting the said sum of money, it became his duty to have performed the said services, and that his default, stated by the commissioners, is sufficient to oblige him to refund the said sum of money, —and therefore recommend, that proper measures be pursued to recover and receive the same of him:

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The committee have also considered that part of the commissioners report, respecting the resolution, directing commodore Gillon to lodge with them the indents delivered for the crew of the South Carolina frigate, and his portage-bill-book before the present meeting of this legislature—And are of opinion that the reasons assigned to them owing to the unfortunate accident of commodore Gillon, breaking his leg, is sufficient to excuse his not yet complying therewith, but recommend that he be required forthwith to deliver the said indents and portage-bill-book to the commissioners appointed to settle the accounts of the former commissioners of the treasury, and that in case of his refusal or neglect, the said commissioners do take the most speedy and effectual measures to recover the said indents and portage-bill-book.

Resolved, That this house do agree to the report,

Ordered, That the report and resolutions be sent to the senate for their concurrence.

By order of the house,

JOHN SANDFORD DART, C. H. R.

In the Senate, December 21, 1792.

Resolved, That this house do concur with the house of representatives in the foregoing report and resolution.

Ordered, That the report and resolutions be sent to the house of representatives.

By order of the senate,

FELIX WARLEY, C. S.

In the Senate, December 20, 1792.

Resolved, That the commissioners on public accounts be directed to call on General Sumter, and Colonel Richardson, for all the indents which they have respectively received out of the public treasury of this state as commissioners for settling with the state's troops, except the amount which they have actually paid to the claimants, whose receipts the commissioners shall consider as vouchers for the same: And should there be any application to the commissioners on public accounts by any of the said troops, or their legal representatives, for their indents, the said commissioners are hereby directed and required to deliver the same on such application, if the indents belonging to such applicants shall be among the number received from General Sumter, and Colonel Richardson.

Ordered, That the resolutions be sent to the house of representatives for their concurrence.

By order of the Senate,

FELIX WARLEY, C. S.

In the House of Representatives, December 21, 1792.

Resolved, that this house do concur with the senate in the above resolution.

Ordered, That the resolutions be sent to the senate.

By order of the House,

JOHN SANDFORD DART, C. H. R.

END OF THE RESOLUTIONS.

I N D E X, TO THE ACTS AND RESOLUTIONS.

A C T S, viz.

| | <i>Page.</i> |
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| AN ACT prescribing on the part of this State, the time, place and manner of appointing electors of a President and Vice President of the United States. | 3 |
| — for raising Supplies for the year one thousand seven hundred and ninety two. | 4 |
| — to alter and amend the Act, entitled, "an Act to oblige persons interested in Marriage Deeds and Contracts, to record the same in the Secretary's Office of this State. | 8 |
| — to alter and amend the several acts for establishing and regulating Circuit Courts through this State. | 9 |
| — to prohibit the importation of slaves from Africa or other places beyond sea, into this State, for two years, and also to prohibit the importation or bringing in of negro slaves, mulattoes, Indians, Moors or multizoes bound for a term of years from any of the United States by land or water. | 11 |
| — to repeal a part of the act, passed the nineteenth of February, 1791, entitled "an Act for gradually calling in and sinking the Paper Medium, issued by virtue of an act, entitled "an Act to establish a medium of circulation by way of loan, and to secure its credit and utility," passed the 12th of October, 1785, and for other purpose therein mentioned. | 13 |
| — to authorise the County Courts and Commissioners of the roads to grant Licences for keeping Billiard Tables. | 15 |
| — to grant a further time to the owners of Wharves in Charleston, and other persons having Wooden Buildings thereon, used as Stores only, to pull the same down. | 16 |
| — relating to the recovery of arrears and other debts, dues and demands owing to bodies corporate by their members. <i>ibid.</i> | |
| — to extend the Time for taking out of the Secretary's Office, such grants of land as now lie in the said office. | 17 |
| — prescribing on the part of this State, the times places and manner of holding Elections for Representatives in the Congress of the United States. | 18 |
| — to ascertain the names by which the villages, wherein the district courts are held in Pinckney and Washington districts, shall be known in law, and to provide uniform seals for the several district courts throughout the State, and to exempt the persons therein specified, from toll and ferriage. | 20 |
| — for vesting in the Town Council of Camden the exclusive power of granting Licences for retailing Spirituous and other Liquors, and for keeping Billiard Tables within the limits of the said Town of Camden, and appropriating the sums arising therefrom, to the benefit of said Town Council. | 22 |
| — for enlarging the Powers of the Commissioners of Columbia, and for other purposes therein mentioned. | 23 |
| — to establish an Inspection and Ware Houses at or near the | |

- the Fish Dam Ford, on the south side of Broad River. 25
- to prevent obstructions to the passage of Fish in Big Lynch's Creek. ibid.
- to establish a new County, to be formed out of the counties of Claremont and Clarendon, and for other purposes therein mentioned. 25
- to ascertain and fix the lines of division between the counties of Kershaw and Lancaster, and also those between the said county of Kershaw and the county of Claremont, and between the said counties of Kershaw and Richland. 27
- to ascertain and fix the line of division between the parishes of St. Peter and St. Luke, and for other purposes therein mentioned. 28
- to alter the line of Division between the Counties of Laurens and Greenville. 29
- to obtain a more accurate Survey and Map of the State ibid.
- to incorporate the general Committee for the Charleston Baptist Association Fund. 30
- to alter and amend an Act, entitled "an Act for incorporating divers religious Societies therein named," so far as the same relates to the Presbyterian Church on Edisto Island. 31
- to reimburse sundry Inhabitants of Beaufort district, the sum herein mentioned, and to make an appropriation thereof in conformity with their Petition. 33
- to empower the President and Wardens of the Indigo Society in Georgetown, to establish a Lottery, ibid.
- to authorize the Trustees of Cambridge College, in the District of Ninety-Six, to establish a Lottery for the benefit of that Institution. 34
- to extend the time for re-building the Bridge over Ashley river, which was vested in the late Col. Richard Hampton, his heirs and assigns, by Act of the Legislature. 35
- to extend the time allowed by law to Wade Hampton and John Compt, respectively, for building Bridges over the Congaree and Broad rivers. 36
- to allow John Clement to take and receive the same rates of ferriage, as have been heretofore taken, for the term of seven years, after the expiration of the present term, and for other purposes therein mentioned. 37
- for laying out certain Roads, establishing certain Ferries and Toll Bridges, and for other purposes therein mentioned: And also, to continue in force the Laws for Regulating the Militia of this State. ibid.
- for relieving and exempting John Wells from Banishment. 51
- to exempt William Carson from the pains and penalties of the act of Confiscation and Banishment, as far as it relates to his Banishment. 52
- Estimate of Supplies wanted for the Support of Government for the year one thousand seven hundred and ninety-two. 7

RESOLUTIONS, viz.

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| Electors for president and vice president of the United States may be chosen from either branch of the legislature, the members so chosen will not, by accepting the appointment, vacate their seats, &c. | 53 |
| Commissioners appointed to run the dividing lines between the parishes of St. James Goose Creek, St. George Doscheffer, and St. John Berklev. | ibid. |
| Electors of a president, vice president of the United States, must have a majority of the votes of the members present. | 54 |
| Respecting lands of Robert Williams, the elder, which were sold by the commissioners of confiscation as the property of Robert Williams the younger. | ibid. |
| At an election held for any public officer, no vote shall be received after the speaker has begun to draw the ballots. | 55 |
| Passing fundry public accounts, to be paid in specie. | pages 55, 57, 65, 68 |
| Commissioners of the treasury directed to postpone the sale of fundry tracts of land, &c. | 56 |
| Commissioners appointed to run the division line between Edgefield and Abbeville counties. | 57 |
| Granting an indent to Capt. William Callwell. | 59 |
| The accounts of Hugh Milling referred to the commissioners applied for settling the accounts of former treasurers, &c. | 60 |
| On a petition of brigadier general John Barnwell, respecting claims on the estate of Dr. James Frazier, under confiscation, | ibid. |
| On a petition of Daniel Fridig, respecting David Fridig's estate, confiscated, | 61 |
| Granting an annuity to James Beard, a militia man, wounded and disabled in the defence of this state, | ibid. |
| Commissioners of the treasury directed to issue indents to Rebeckah Barton, on account of the restored estate of her late husband Edmund Ellis, &c. | 62 |
| Granting a further compensation to Gabriel Smithers, for building the gaol in the town of Cambridge, | ibid. |
| Commissioners appointed to sell and dispose of, at public auction, a parcel of bricks in the town of Beaufort, the property, of this state, | 63 |
| Person or persons indebted to the public, that hath or have any demands or debts against the state, which are properly liquidated and authenticated, the commissioners of the treasury are empowered to stop by way of discount, &c. | ibid. |
| Respecting the receipts and expenditures of the commissioners of the tobacco inspection in Charleston, &c. | ibid. |
| Granting certificates and indents to Joseph Goodman, to the executors of Mathias Libcap and to Samuel Laird, | 64 |
| The petition of fundry persons late soldiers in colonel Horry's regiment of state troops, referred to the commissioners for settling the public accounts, &c. | ibid. |
| The petitions of Robert Sorrall, William Greenwood and William Scott, jun. referred to the commissioners for settling the public accounts, &c. | 65 |
| The report on a petition of Dr. George Carter; the consideration | |

deration thereof, postponed until the next meeting of the legislature, ibid.

The commissioners of the treasury directed to deliver an indent of William Watson, to Samuel Watson, &c. 66

Any demand which shall not be delivered into the treasurers, sworn to and properly certified on or before the 31st day of October next, no provision will be made in the next tax bill for the same. And that no private petition will be received after the 12th day of December next, to be considered in that session. 67

Commissioners appointed to value land claimed by Thomas Bacon, bought of Benjamin Tutt, which appears to be under mortgage to the commissioners of the loan office, &c. ibid.

Respecting the boundary line, between the state of North Carolina, and this state, &c. 71

Commissioners appointed to contract for and superintend the building of a magazine and arsenal near Abbeville court house, 72

Commissioners of the treasury authorised to receive six shillings from every person who neglected to take out his grant for land, within the time limited by law, &c. 73

Hugh Knox, allowed the sum of fifty pounds, for a negro purchased by him, as captured property, &c. ibid.

Commissioners appointed in Winton county, to investigate claims of all such persons as are suspected of having drawn annuities unjustly in that county, &c. ibid.

Appointing county judges, justices of the quorum, and justices of the peace. 74

Commissioners appointed for ascertaining the lines between the counties of Laurens and Greenville. 75

Commissioners appointed for the tobacco inspections, in Granby and at Frideg's, ferry. 76

Sundry collectors of the public taxes appointed. ibid.

Commissioners of the treasury, directed to pay over to the agent for foreign creditors all public monies that may come to their hands, not otherwise appropriated, &c. ibid.

Directing the different tax collectors and the commissioners of the treasury, to receive the certificates which have been issued at different times to the members of the legislature for the present year, in payment of taxes, &c. 77

Requesting the senator's of this state in congress, to express the opinion of this legislature, that the doors of the senate of the United States, should be opened to the citizens during the debates, &c. ibid.

Holders of special indents are required and directed on or before the first day of September next, to deliver to one or other of the treasurers, the special indents in their possession &c. ibid.

Commissioners of the roads for the parishes of St. Philip and St. Michael, directed to account for the expenditure of the monies received by them, since the year 1785 to the commissioners on public accounts and the monies they may in future receive to account, with the intendant and wardens of the city Charleston, once in each year. 78

Commissioners of the treasury to issue an indent to James Rabb. ibid.

On a petition of Samuel Hunter, for claims on this state. 79

on

On a petition of Sarah Armstrong, respecting property of Samuel M'Kay, taken during the late war and converted to the use of the state.

79

On a petition of Timothy Rives, respecting annuity orders

ibid.

On a petition of John Moffett, respecting land purchased by him from the public.

80

Auditor General to balance his books. Commodore Gillon, required to deliver the indents for the crew of the South Carolina Frigate, and his Portage Bill book to the commissioners appointed to settle the public accounts, &c.

ibid.

Commissioners for settling with the state troops, called upon to deliver indents in their hands to the commissioners for settling public accounts.

81

9:1:50

THE END

